

Changes made since the proposed stage

Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar's office, please put an asterisk next to any substantive changes.

Section number	Requirement at proposed stage	What has changed	Rationale for change
9VAC25-20-60 A 4	Permit Maintenance Fee Due Dates: for facilities that are authorized to land apply biosolids.	Add terminology to clarify requirements for all permitted biosolids activities: for facilities that are authorized to land apply, distribute or market biosolids...	To clarify that the distribution and marketing of biosolids are included in the requirements.
9VAC25-20-60 A 4	No permit will be automatically continued without payment of the required fee.	Make correction to terminology: No permit will be administratively continued without payment of the required fee.	Correction to terminology and to clarify requirements.
9VAC25-20-60 B	Surface Water Withdrawal (SWW) and Ground Water Withdrawal (GWW) permits.	The term Ground Water was revised to "groundwater".	To clarify requirements and to conform to common usage of terms.
9VAC25-20-110 A	VPDES Permit issuance fee for the authorization for land application of biosolids	Add terminology to clarify requirements for all permitted biosolids activities: fee for the authorization for land application, distribution or marketing of biosolids. 2 changes made - in table and footnote	To clarify that the distribution and marketing of biosolids are included in the requirements.
9VAC25-20-110 B	(Note: Land application rates listed in the table below are facility "design" rates.)	Delete current language because it is not relevant to VPA land application (VPDES only).	Deletion of irrelevant language.
9VAC25-20-110 B		VPA Permit issuance fee for VPA Combined Sludge Operation - the authorization for land application of industrial sludge (excluding water treatment residuals) and municipal biosolids. New category based on permitting requests and confusion on the fee form. When applying for a permit that covers 2 categories – the highest fee applies.\$7500	Addition of new category based on permitting requests and confusion of the fee form.
9VAC25-20-110 E	Ground Water Withdrawal (GWW) Permits issued in response to Chapter 25...	The term Ground Water was revised to "groundwater" in the section and associated fee schedule table.	To clarify requirements and to conform to common usage of terms.
9VAC25-20-120 A	Fee schedule for major modifications.	Section renumbered to 9VAC25-20-120.	Renumber to reflect loss of section B.

9VAC25-20-120 A	(Note: All flows listed in the table below are facility "design" flows.)	Section renumbered to 9VAC25-20-120. Reinserted original statement into VPDES specific section: Note: All flows listed in the table below are facility "design" flows. because it applies only to VPDES Permits	Renumber to reflect loss of section B. Reinserted original statement into VPDES specific section because it applies only to VPDES Permits.
9VAC25-20-120 A	VPDES major modification fee for the authorization for land application of biosolids	Section renumbered to reflect revised section numbering – 9VAC25-20-120 1. Language revised to include "distribution or marketing".	Add terminology to clarify requirements for all permitted biosolids activities: fee for the modification relating to the authorization for land application, distribution or marketing of biosolids. 2 changes made - in table and footnote.
9VAC25-20-120 A 1	Table footnote: VPDES major modification fee for the authorization for land application of biosolids; The modification fee shall apply for the addition of land application sites to a permit when a public meeting is required as specified in 9VAC25-31-290 I 2.	Footnote language revised: The modification fee shall apply for any addition of land application sites to a permit. Revision is based on elimination of maintenance fee and the cost of the department providing notification when adding any land.	To clarify requirements.
9VAC25-20-120 2		Footnote 1 designation added to VPA Industrial Sludge Operation fee.	Footnote designation added to clarify requirements.
9VAC25-20-120 2		New VPA permit category and footnote designation added – VPA Combined Sludge Operation. VPA Permit modification fee for the authorization for land application of industrial sludge (excluding water treatment residuals) and municipal biosolids. New category based on permitting requests and confusion on the fee form. When applying for modification of a permit that covers 2 categories – the highest fee applies \$3750.	New category added based on permitting requests and confusion on the fee form.
9VAC25-20-120 2	Footnote designation for VPA Permit Category – VPA Municipal Biosolids Operation.	Footnote designation revised to reflect the addition of a second footnote.	To clarify requirements.
9VAC25-20-120 2	Footnote * to VPA Permit table. Footnote read: "The modification fee shall	Footnote designation revised to reflect the addition of a second footnote. Footnote revised to	To clarify requirements.

	apply for the addition of land application sites to a permit with a public meeting is required as specified in 9VAC25-32-140 C 2.	read: "The modification fee shall apply for any addition of land application sites to a permit.	
9VAC25-20-120 2		Footnote 2 added: "When adding any industrial source (excluding water treatment plant residuals) to a permit that only authorizes the land application of municipal biosolids, the modification fee for a VPA combined sludge operation shall apply."	To clarify requirements.
9VAC25-20-120 5	Ground Water Withdrawal (GWW) Permits issued in response to Chapter 25...	The term Ground Water was revised to "groundwater" in the section and associated fee schedule table.	To clarify requirements and to conform to common usage of terms.
9VAC25-20-120 B	All rates listed in the tables provided in this section are facility "design" rates unless noted otherwise.	Section deleted.	Delete terminology, because it does not apply to all permit types, only VPDES.
9VAC25-20-142 A 2	Base fee rate for Virginia Pollution Abatement (VPA) permits. (Note: Land application rates listed in the table below are facility "design" rates.)	Note deleted.	Delete current language from this section because it is not a relevant to VPA land application, only VPDES.
9VAC25-20-142 A 2	Base fee rate for Virginia Pollution Abatement (VPA) permits – Permit Category VPA Municipal Biosolids Operation – Fee: \$500.	Fee revised to \$100.	Changed fee to \$100 to reflect one tenth of the maximum fee authorized for reissuance by statute, § 62.1-44.19:3.F.
9VAC25-20-142 A 3	3. The amount of the annual permit maintenance fee...where:...	Capitalized "Where:"	Grammatical correction.
9VAC25-20-147 B	Records and Reports; Report and notification; submitted by the 15 th of the month following the month that land application occurs.	Revised and added language to clarify that report is due each month: submitted by the 15 th of each month for land application activity that occurred in the previous calendar month... If no land application occurs under a permit during the calendar month, a report shall be submitted stating that no land application occurred.	To clarify requirements.
9VAC25-31-10	Definitions: "Act" means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC §	Add "CWA" to definition. Revise to read: Definitions: "Act" means Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended,	Based on discussions with the AG's Office.

	1251 et seq.	33 USC § 1251 et seq.	
9VAC25-31-10	Definitions: "Applicable standards and limitations" means all state, interstate, and federal standards and limitations to which a discharge, a sewage sludge use or disposal practice, or a related activity is subject under the Clean Water Act (CWA) (33 USC § 1251 et seq.) and the law, including effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, pretreatment standards, and standards for biosolids use or sewage sludge disposal under §§ 301, 302, 303, 304, 306, 307, 308, 403 and 405 of CWA.	Revised to read: "Applicable standards and limitations" means all state, interstate, and federal standards and limitations to which a discharge, a sewage sludge use or disposal practice, or a related activity is subject under the CWA (33 USC § 1251 et seq.) and the law, including effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, pretreatment standards, and standards for sewage sludge use or disposal under §§ 301, 302, 303, 304, 306, 307, 308, 403 and 405 of CWA.	Based on discussions with the AG's Office and to clarify requirements.
9VAC25-31-10	Definitions.	Added definition: "Biosolids" means a sewage sludge that has received an established treatment and is managed in a manner to meet the required pathogen control and vector attraction reduction, and contains concentrations of regulated pollutants below the ceiling limits established in 40 CFR Part 503 and 9VAC25-31-540, such that it meets the standards established for use of biosolids for land application, marketing, or distribution in accordance with this regulation. Liquid biosolids contains less than 15% dry residue by weight. Dewatered biosolids contains 15% or more dry residue by weight."	Based on discussions with the AG's Office.
9VAC25-31-10	Definitions: "CWA" means the Clean Water Act (33 USC § 1251 et seq.) (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution	Revised to add new reference to Public Law 100-4: Revised to read: "CWA" means the Clean Water Act (33 USC § 1251 et seq.) (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution	Revised to update Public Law references.

	Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95, 217, Public Law 95-576, Public Law 96-483, and Public Law 97-117.	Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95, 217, Public Law 95-576, Public Law 96-483, Public Law 97-117, and Public Law 100-4.	
9VAC25-31-10	Definitions – "Land application area" means land under control of an AFO owner or operator that is owned, rented, or leased to which manure, litter or process wastewater from the production area may be applied.	Revised definition to read: "Land application area" means, in regard to an AFO, land under control of an AFO owner...	Added "means in regard to AFO" because land application area is different when used in regard to biosolids. Based on comments received.
9VAC25-31-10	Definitions.	Added new definition: "Land application area" means, in regard to biosolids, the area in the permitted field, excluding the buffer zones, where biosolids may be applied."	Added definition to clarify requirements – Based on comments received.
9VAC25-31-10	Definitions.	Added definition: "Malodor" means an unusually strong or offensive odor associated with biosolids or sewage sludge as distinguished from odors normally associated with biosolids or sewage sludge.	Added to define term used in section. Based on discussions with AG's Office.
9VAC25-31-10	Definitions – "Publicly owned treatment works" or "POTW" means...	Definition deleted.	Definition was listed twice, deleted the definition that was between "Pollutant" and "POTW treatment Plant". Based on comments received.
9VAC25-31-10	Definitions.	Added new definition: "Setback area" means the area of land between the boundary of the land application area and adjacent features where biosolids or other managed pollutants may not be land applied.	Added to clarify changes made to buffers and buffer language in the regulation.
9VAC25-31-10	Definitions.	Added new definition: "Vegetated buffer" means a permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to the dominant slope of the field for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or	Added to clarify changes to buffers and buffer language in the regulation.

		pollutants from leaving the field and reaching surface waters.	
9VAC25-31-10	Definition: "Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...	Revise definition to read: "Wetlands" means those areas that are inundated or saturated by surface or groundwater...	To clarify requirements and to conform to common usage of terms.
9VAC25-31-100 A	Application for a permit – Duty to apply...Deleted to sentence: The requirements for concentrated animal feeding operations are described in subdivisions C 1 and 3 of 9VAC25-31-130.	Reinserted language: "The requirements for concentrated animal feeding operations are described in subdivisions C 1 and 3 of 9VAC25-31-130."	Language needed to clarify requirements.
9VAC25-31-100 A 2	Applications for a permit – Duty to apply...All concentrated animal feeding operations have a duty to seek coverage under a VPDES permit.	Deleted language: "All concentrated animal feeding operations have a duty to seek coverage under a VPDES permit."	Language duplicative with reinsertion of language in 9VAC25-31-100 A.
9VAC25-31-100 Q 7 d	Requires that "Applicants must collect and analyze samples in accordance with analytical methods specified in 9VAC25-31-490 unless an alternative has been specified in an existing biosolids use permit. Samples for PCB analysis shall be collected and analyzed in accordance with EPA Method 1668 B."	Revised language to read: "d. Applicants must collect and analyze samples in accordance with methods specified in 9VAC25-31-490, 40 CFR Part 503 (March 26, 2007) and 40 CFR Part 136 (March 26, 2007)."	Revised language to clarify requirements and to provide specific approved method references.
9VAC25-31-100 Q 9 c (1)	c. The following information for each land application site that has been identified at the time of permit application. (1) The DEQ control number, if previously assigned, identifying the land application field or site and the site's location;	Revised language: "(1) The DEQ control number, if previously assigned, identifying the land application field or site. If a DEQ control number has not been assigned, provide the site identification code used by the permit applicant to report activities and the site's location;"	Revised language to provide for use of a different site identification code if a DEQ control number has not been assigned. Based on comments received.
9VAC25-31-100 Q 9 a		Add new subdivision language for "9 a" that reads: "a. Written permission of landowners on the most current form approved by the board."	New language added to clarify requirements. Based on comments received.
9VAC25-31-100 Q 9 b	9VAC25-31-100 Q 9 a	Renumbered subdivision from "9 a" to "9 b".	Renumbered to account for addition of new language for

			subdivision.
9VAC25-31-100 Q 9 c	9VAC25-31-100 Q 9 b	Renumbered subdivision from "9 b" to "9 c".	Renumbered to account for addition of new language for subdivision.
9VAC25-31-100 Q 9 d	9VAC25-31-100 Q 9 c	Renumbered subdivision from "9 c" to "9 d".	Renumbered to account for addition of new language for subdivision.
9VAC25-31-100 Q 9 d (2)	Requires that information on the "The site's latitude and longitude to the nearest second and method of determination" be provided.	Revised language to require that information on "The site's latitude and longitude in decimal degrees to three decimal places, and method of determination" be provided.	Changed lat/long units to "in decimal degrees to three decimal places" in keeping with technology.
9VAC25-31-100 Q 9 d (3)	Requires that a legible topographic map of the proposed application areas to scale as needed to depict features be provided.	Revised language to read: "(3) A legible topographic map and aerial photograph, including legend, of proposed application areas to scale as needed to depict the following features:"	Add requirement for "aerial photograph, including legend" in keeping with technology and to better identify sites and features, based on field experience.
9VAC25-31-100 Q 9 d (3) (g)	Required information: (g) Frequently flooded areas (National Resources Conservation Service (NRCS) designation; and...	"and" at end of subdivision deleted.	Editorial change to provide for the addition of new requirements.
9VAC25-31-100 Q 9 d (3) (h)	Required information: (h) The gross acreage of the fields where biosolids will be applied;	Inserted new requirement as (h): "Occupied dwellings within 400 feet of the property boundaries and all existing extended dwelling and property line setback distances;	Added new language to be consistent with new "setback language".
9VAC25-31-100 Q 9 c (3) (i)		Inserted new requirement: "(i) Publicly accessible properties and occupied buildings within 400 feet of the property boundaries and the associated setback distances; and	Added new language to be consistent with new "setback language".
9VAC25-31-100 Q 9 d (3) (j)	Originally included as item (h) "The gross acreage of the fields where biosolids will be applied;"	Numbering revised.	Numbering revised to reflect the addition of new requirements.
9VAC25-31-100 Q 9 d (5)	Information requirement: "(5) County tax maps for each farm to be included on the permit, which may include multiple fields;	Information requirement revised to read: "(5) County tax maps labeled with Tax Parcel ID(s) for each farm to be included in the permit, which may include multiple fields, to depict properties within 400 feet of the field boundaries;"	Revised to clarify requirements and to be consistent with new "setback language".
9VAC25-31-100 Q 9 d (7)	Information requirement: "(7) The name, mailing	Requirement revised to read: "(7) The name, mailing address,	Clarified to include information for "each site

	address, and telephone number of the site owner, if different from the applicant;"	and telephone number of each site owner, if different from the applicant;"	owner" based on comment and SWCB concerns regarding identification of property owners and permit issuance.
9VAC25-31-100 Q 9 d	Additional site information required for permit applications proposing frequent application of biosolids.	Subdivision and associated requirements deleted.	Deleted language because land application rates and frequency will be dictated by NMP, agronomic rate annually will not be allowed by an NMP. Revisions made based on comment.
9VAC25-31-100 Q 9 f	Requirement for information "if not all land application sites have been identified at the time of permit application, the applicant must submit a land application plan that, at a minimum:"	Subdivision and associated requirements deleted.	Deleted Land Application Plan language because notification requirements in statute supersede the addition of land with administrative approval.
9VAC25-31-100 Q 10 h	Requirements for biosolids storage facilities not located at the site of the wastewater treatment plant - "h. Ground Water monitoring plans including pertinent geohydrological data to justify upgradient and downgradient well location and depth."	Replaced phrase "ground water" with the term "groundwater". Revised language to read: "Groundwater monitoring plans for the facilities, if required by the department. The groundwater monitoring plan shall include pertinent geohydrological data to justify upgradient and downgradient well location and depth."	Because NMP is required, biosolids cannot be applied annually at full agronomic rate or higher, which would warrant ground water monitoring, added language to clarify information is required only if groundwater monitoring plan is required.
9VAC25-31-100 Q 12	Requirement for: "A biosolids operations management plan shall be provided..."	Revised requirement to delete the term "operations". Language now reads: "12. A biosolids management plan shall be provided..."	Correct terminology.
9VAC25-31-100 Q 12 b	Requires that "a nutrient management plan approved by the Department of Conservation shall be required for application sites ..."	Revised language to read: "b. A nutrient management plan approved by the Department of Conservation and Recreation as required for application sites..."	To clarify requirements.
9VAC25-31-100 Q 12 b (2)	"(2) Sites where land application is proposed more frequently than once every three years at greater than 50% of the annual agronomic rate; and"	Deleted the word "and" at the end of the subdivision.	To account for the addition of a new requirement.
9VAC25-31-	"(3) Mined land sites	Language revised to read: "(3)	Revised to correct

100 Q 12 b (3)	where land application is proposed at greater than agronomic rates."	Mined or disturbed land sites where land application is proposed at greater than agronomic rates;"	terminology and to clarify requirements.
9VAC25-31-100 Q 12 b (4)		Added new subdivision: "(4) Other sites based on site-specific conditions that increase the risk that land application may adversely impact state waters."	To be consistent with requirements in section 410, based on comments received.
9VAC25-31-100 Q 13 a	Biosolids transport – Description and specification on the bed or the tank vehicle.	Revised language to read: "a. General description of transport vehicles to be used;"	To clarify requirements – based on comments received.
9VAC25-31-100 Q 13 b	"b. Haul routes to be used from the biosolids generator to the storage unit and land application sites;	Delete text and replace with language from 13 c: "Procedures for biosolids offloading at the biosolids facilities and the land application site together with spill prevention, cleanup (including vehicle cleaning), field reclamation, and emergency spill notification and cleanup measures; and"	Based on comments received. Revised to clarify requirements.
9VAC25-31-100 Q 13 c	9VAC25-31-100 Q 13 d.	Renumbered from 9VAC25-31-100 Q 13 d to 13 c.	Renumbered to account for deletion of previous subdivision.
9VAC25-31-100 Q 14 a (1)	Field operations – storage- routine storage: "Routine storage – supernatant handling and disposal, biosolids handling..."	Revised language to read: "(1) Routine storage at facilities not located at the site of the wastewater treatment plant – supernatant handling and disposal, biosolids handling..."	Revised to say routine storage at facilities not located at the site of the wastewater treatment plant to clarify that the requirement does not apply to storage at the WWTP, based on comment.
9VAC25-31-100 Q 14 a (4)	Field operations – storage – field reclamation of offloading (staging) areas.	Revised language to read: "(4) Field reestablishment of offloading (staging) areas.	Revised to say reestablishment of offloading areas, based on comments received.
9VAC25-31-100 Q 14 b (3)	Application methodology: "(3) Procedures used to ensure that operations address the following constraints: application of biosolids to frozen ground, pasture/hay fields, crops for direct human consumption and saturate or ice-covered..."	Replaced the word "saturate" with "saturated".	Correction of spelling of term.
9VAC25-31-100 Q 14 b (3)	Application methodology: "(3) Procedures used to ensure...or ice-covered or snow-covered ground; maintenance buffer zones, slopes..."	Replaced phrase "maintenance buffer zones" with establishment of setback distances".	Revised to clarify requirements and to be consistent with new "setback language".

9VAC25-31-100 Q 15	Evidence of financial responsibility.	Added period at end of subdivision.	Editorial correction.
9VAC25-31-100 Q 16 c (13)	The following information, as applicable to any ground water monitoring...	Replaced "ground water" with "groundwater".	To be consistent with common usage.
9VAC25-31-100 Q 16 c (13) (a)	A description of any ground water monitoring...	Replaced "ground water" with "groundwater".	To be consistent with common usage.
9VAC25-31-100 Q 16 c (13) (b)	Any available ground water monitoring data...	Replaced "ground water" with "groundwater".	To be consistent with common usage.
9VAC25-31-100 Q 16 c (13) (c)	A copy of any ground water monitoring plan...	Replaced "ground water" with "groundwater".	To be consistent with common usage.
9VAC25-31-100 Q 16 c (13) (d)	A copy of any certification that has been obtained from a qualified ground water scientist...	Replaced "ground water" with "groundwater".	To be consistent with common usage.
9VAC25-31-280 A	"A. A fact sheet shall be prepared...for every draft permit that includes a biosolids land application plan under 9VAC25-31-100 C 2..."	Delete reference to a "plan" and revise section reference to 9VAC25-31-100 D 2. Revise to read: "A. A fact sheet shall be prepared...for every draft permit that includes a biosolids land application under 9VAC25-31-100 D 2..."	Revised to correct terminology and to update the section reference number.
9VAC25-31-280 B 9	"9. For every permit to be issued to a treatment works owned by a person other than a state or municipality, an explanation of the board's decision on regulation of users;"	Deleted extra space and corrected punctuation. Revised to read: "9. For every permit to be issued to a treatment works owned by a person other than a state or municipality, an explanation of the board's decision on regulation of users;"	Grammatical correction. Based on discussions with the AG's Office.
9VAC25-31-280 B 11	The fact sheet shall include, when applicable: (11) For permits that include a biosolids land application plan...	Requirement deleted.	The land application plan is no longer a requirement of the regulations.
9VAC25-31-280 B 12	The fact sheet shall include, when applicable: (12) Justification of waiver of any application requirement...	Requirement renumbered to (11).	Requirement renumbered to (11) to reflect deletion of original requirement.
9VAC25-31-290 C 1 d	"d. Any state agency responsible for plan development under § 208(b)(2), 208(b)(4) or § 303(e) of the CWA..."	Revised to insert § sign. Revised to read: "d. Any state agency responsible for plan development under § 208(b)(2), § 208(b)(4) or § 303(e) of the CWA..."	Grammatical correction. Based on discussions with the AG's Office.
9VAC25-31-290 D 1 f	"f. A general description of the location of each existing or proposed discharge point and the	Revised to read: "f. A general description of the location of each existing or proposed discharge point and the name of	Revised to use consistent terminology throughout the regulations. Based on

	name of the receiving water and the sludge use and disposal practice or practices..."	the receiving water and the biosolids use and sewage sludge disposal practice or practices..."	discussions with the AG's Office.
9VAC25-31-290 H	"H. Following submission of an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge, or stabilized septage, DEQ shall notify or cause to be notified persons residing on property bordering the sites that contain the proposed land application fields..."	Revised to include reference to "the department" and a "good faith effort to notify". Revised to read: "H. Following submission of an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge, or stabilized septage, the department shall make a good faith effort to notify or cause to be notified persons residing on property bordering the sites that contain the proposed land application fields..."	Revised to use consistent terminology throughout the regulations. Based on discussions with the AG's Office.
9VAC25-31-290 J	Before issuing any permit, if the department finds that there are localities particularly affected by the permit, the department shall...	Replaced "department" with "board".	In previous proposed amendment, board was changed to department. Changing back to the board to be consistent with the process.
9VAC25-31-290 J 3	Accept written comments for up to 15 days after any public hearing on the permit, unless the department decides to shorten the period.	Revised language to read: "Accept written comments for at least 15 days after any public hearing on the permit, unless the board votes to shorten the period."	Revised to say accept written comment for at least 15 days. In previous proposed amendment, board was changed to department decides; changed back to the board votes to be consistent with current procedures.
9VAC25-31-390 A 16	"When required by a permit condition to incorporate a land application plan for beneficial reuse of biosolids, to revise an existing land application plan, or to add a land application plan.	Requirement deleted.	The land application plan requirement is no longer included in the regulations.
9VAC25-31-440 C	Permits and direct enforceability.	Added new requirement: "C. No person shall land apply Class B biosolids on any land in Virginia unless that land has been identified in an application to issue, reissue or modify a permit and approved by the board."	Added language to clarify requirements.
9VAC25-31-440 D	Permits and direct enforceability.	Added new requirement: "D. No person shall land apply, market or distribute biosolids in Virginia unless the biosolids source has	Added language to clarify requirements.

		been approved by the board."	
9VAC25-31-460 B	Additional or more stringent requirements: "B. Nothing in this part precludes another state agency with responsibility for regulating biosolids or sewage sludge or any political subdivision of Virginia or an interstate agency from imposing requirements for the use of biosolids or disposal of sewage sludge more stringent than the requirements in this part or from imposing additional requirements for the use of biosolids or disposal of sewage sludge."	Revised requirement: "B. Nothing in this part precludes the authority of another state agency; any political subdivision of Virginia or an interstate agency with respect to the use of biosolids or disposal of sewage sludge."	Statute gives local government specific authority, it cannot be more stringent than this regulation
9VAC25-31-460 C	Additional or more stringent requirements: "C. For biosolids land application where, because of site-specific conditions...the department may incorporate in the permit at the time it is issued reasonable special conditions regarding buffering, transportation..."	Replaced the term "buffering" with "setback distances".	To be consistent with "setback" and "setback distance" language in the regulation.
9VAC25-31-475	Local enforcement of sewage sludge regulations.	Revised title to read: "Local enforcement of biosolids regulations."	Revised to use consistent terminology throughout the regulations. Based on discussions with the AG's Office.
9VAC25-31-485	Requirements for permittees who land apply biosolids.	Revised to read: "Requirements for a person who land applies biosolids."	Renamed to conform with language used in other sections and to apply to anyone who applies biosolids
9VAC25-31-485 A	"Any person who land applies biosolids authorized by a VPDES permit shall be certified in accordance with requirements specified in the Virginia Pollution Abatement Regulation, Article 5, Certification of Land Applicators, as set forth in 9VAC25-32-690	Revised to read: "No person shall land apply biosolids pursuant to a permit issued in accordance with this regulation unless and individual holding a valid certificate of competence as specified in the Virginia Pollution Abatement Program Regulation, Article 5, Certification of Land Applicators, as set forth in 9VAC25-32-690	Revise language to be in accordance with statute.

	through 9VAC25-32-760."	through 9VAC25-32-760 is onsite at all times during such land application."	
9VAC25-31-485 B 1	"Permit holders shall use a unique control number assigned by the department as an identifier for fields permitted for land application."	Revised to read: "1. Permit holders shall use a DEQ control number, if previously assigned, identifying each land application field. If a DEQ control number has not been assigned, provide the site identification code used by the permit applicant to report activities and the site's location."	Revised to provide for instances where a DEQ control number has not been assigned. Change based on comments received.
9VAC25-31-485 B 2	Requirement for a written agreement: "A written agreement shall be established between the landowner and permit applicant or permit holder to be submitted with the permit application, whereby the landowner shall consent to the application of biosolids on his property and certify that no concurrent agreements are in effect for the fields to be permitted for biosolids application. The landowner agreement shall include an acknowledgement by the landowner of any site restrictions identified in the permit. The responsibility for obtaining and maintaining the agreements lies with the permit holder."	Revised to read: "A written agreement shall be established between the landowner and permit applicant or permit holder to be submitted with the permit application, whereby the landowner shall consent to the application of biosolids on his property. The landowner agreement shall include:	Revised and reorganized to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (a)		Added new requirement: "(a) A statement certifying that the landowner is the sole owner or one of multiple owners of the property or properties identified on the landowner agreement;"	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (b)		Added new requirement: "(b) A statement certifying that no concurrent agreements are in effect for the fields to be permitted for biosolids application;"	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (c)		Added new requirement: "(c) An acknowledgement that the landowner shall notify the permittee when land is sold or ownership transferred;	New language added to clarify requirements. Based on comments received and SWCB request.

9VAC25-31-485 B 2 (d)		Added new requirement: "(d) An acknowledgement that the landowner shall notify the permittee if any conditions change such that any component of the landowner agreement becomes invalid;"	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (e)		Added new requirement: "(e) Permission to allow department staff on the landowner's property to conduct inspections;"	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (f)		Added new requirement: "(f) An acknowledgement by the landowner of any site restrictions identified in the regulation; and"	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 2 (g)		Added new requirement: "(g) An acknowledgement that the landowner has received a biosolids fact sheet approved by the department."	New language added to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 3	New or revised landowner agreements shall be submitted to the department if new land is being added to the permit or if there have been changes in ownership of land included in a permit reissuance request.	Revised to read: "New landowner agreements, using the most current form provided by the board, shall be submitted to the department for proposed land application sites identified in each application for issuance or reissuance of a permit or the modification to add land to an existing permit that authorizes the land application of biosolids."	Language revised to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 4		Added new requirement: "4. For permits modified in order to incorporate changes to this regulation, the permit holder shall, within 60 days of the effective date of the permit modification, advise the landowner by registered letter of the requirement to provide a new landowner agreement. The letter shall include instructions to the landowner for signing and returning the new landowner agreement, and shall advise the landowner that the permit holder's receipt of such new landowner agreement is required prior to application of biosolids to the landowner's property."	Language revised to clarify requirements. Based on comments received and SWCB request.
9VAC25-31-485 B 5	Part of original 9VAC25-31-485 B 2: "The responsibility for obtaining and maintaining the	Language renumbered and included as 9VAC25-31-485 B 5.	Language revised to clarify requirements.

	agreements lies with the permit holder."		
9VAC25-31-485 D 1	Requirements for permittees who land apply sewage sludge/biosolids. Notification requirements; provide notification at least 100 days prior to commencing land application	Revised to provide notice at least 100 days prior to commencing the first land application at the site.	Revised in order to clarify that it is a one-time notification.
9VAC25-31-485 D 1	Requirements for permittees who land apply sewage sludge biosolids. Notification requirements; 100 day notice maybe satisfied by providing list of all site on list 100 days prior to any of the sites	Added the department's notice to the local government at the time of receiving the permit application if all necessary information is included in the notice.	This was based on TAC discussion and comments received and may provide longer notice since the permit processing time may be up to 180 days.
9VAC25-31-485 D 2	Notification of land application activity; provide notification at least 14 days prior to commencing land application; a. – h. specific notification requirements	Deleted list of requirements that were added in original amendments and returned to statutory language, based on comment. Moved the requirements to new requirement for 5 day signage notice. Added that notice will be given to local government unless they request in writing not to receive the notice.	Both changes were based on comments received and on TAC discussions
9VAC25-31-485 D 3	Notification of land application activity; provide daily notification The permittee shall deliver or cause to be delivered daily notification to the department and the chief executive officer or designee for the local government where the site is located prior to commencing land application activities.	Revised to clarify: Not more than 24 hours prior to commencing of land application activities, including delivery of biosolids at a permitted site, the permittee shall notify in writing the department and the chief executive officer or designee for the local government where the site is located Added that notice will be given to local government unless, unless they request in writing not to receive the notice. This notification shall include only sites where land application activities will commence within 24 hours or where biosolids will be staged within 24 hours.	Both changes were based on comments received and on TAC discussions. Revised to clarify requirements.
9VAC25-31-485 F 1	Posting of signs: "1. At least five business days prior to delivery of biosolids for land application on any site permitted under this regulation, the permit holder shall post signs at	Replaced "specification herein" with "specifications in this subsection".	To clarify requirements.

	the site that comply with this section, are visible and legible from the public right-of-way in both directions of travel and conform to the specifications herein..."		
9VAC25-31-485 F 1 a	Notification of land application activity; 5 day signage; If the site is not located adjacent to a public right-of-way, the sign shall be posted at or near the intersection of the public right-of-way and the main site access road or driveway to the site.	Moved up from F.1 b and removed criteria that sign at entrance only needed if there is no field road frontage, based on comment: A sign shall be posted at or near the intersection of the public right-of-way and the main site access road or driveway to the site used by the biosolids transport vehicles.	To clarify requirements.
9VAC25-31-485 F 1 b	Notification of land application activity; ; 5 day signage; if site is located adjacent to a public right-of-way, post along road frontage	Renumbered and revised to say if field is located adjacent to a public right-of-way, at least one sign shall be posted along each public road frontage.	Based on comments received and to clarify requirements.
9VAC25-31-485 F 1 b	Notification of land application activity; ; 5 day signage; If the site is not located adjacent to a public right-of-way, the sign shall be posted at or near the intersection of the public right-of-way and the main site access road or driveway to the site.	Struck, partially moved to a.	To clarify requirements.
9VAC25-31-485 F 1 c	Notification of land application activity; 5 day signage; The department may grant a waiver to the requirements in this section, or require alternative posting options due to extenuating circumstances or to be consistent with local government ordinances and other requirements regulating the use of signs	Revised to read: The department may grant a waiver to the requirements in this section, or require alternative posting options due to extenuating circumstances or where requirements conflict with local government ordinances and other requirements regulating the use of signs.	Revised to clarify; based on comments received.
9VAC25-31-485 F 2	Notification of land application activity; 5 day signage	Added requirement to notify department when signs are posted. Upon the posting of signs at a land application site prior to commencing land application, the permittee shall deliver or cause to be delivered	Revised based on TAC discussions and to clarify requirements.

		written notification to the department and the chief executive officer or designee for the local government where the site is located, unless they request in writing not to receive the notice. Notification shall be delivered to the department by close of business on the following day. The notice shall include the following:	
9VAC25-31-485 F 2 a. – d.	Notification of land application activity; 5 day signage	Added requirement to notify department when signs are posted. a. The name and telephone number of the permit holder, including the name of a representative knowledgeable of the permit; b. Identification by tax map number and the DEQ control number for sites on which land application is to take place; c. The name or title, and telephone number of at least one individual designated by the permit holder to respond to questions and complaints related to the land application project, if not the permit holder identified in 9VAC25-31-485 F 2 a; d. The approximate dates on which land application is to begin and end at the site.	Language moved from 14 day notification and revised based on comments received.
9VAC25-31-485 F 3	Notification of land application activity; 5 day signage.	Section renumbered.	Renumbered due to inserting additional subsection.
9VAC25-31-485 F 3 b	Sign details.	Deleted requirement for general company phone number and moved requirement for the telephone number of an individual to a new subdivision c.	To clarify requirements.
9VAC25-31-485 F 3 c	Sign details.	Split requirements from subdivision 3 b into 2 items to clarify – require phone number of an individual designated by the permit holder to respond to complaints and inquiries.	To clarify requirements.
9VAC25-31-485 F 3 d	Sign details.	Section renumbered to from 3 c to 3 d.	Renumbered to reflect addition of new subdivisions.
9VAC25-31-485 F 4	Notification of land application activity; 5 day signage	Subsection renumbered from 3 to 4.	Renumbered due to inserting additional subsection.
9VAC25-31-	Operations management	Subsection renamed: Biosolids	Based on comments

485 G	plan.	management plan.	received.
9VAC25-31-485 G 1	The permit holder shall maintain an operations management plan which shall consist of three components:	Revised language to read: "1. The permit holder shall maintain and implement a Biosolids management plan which shall consist of three components:"	To clarify requirements that a biosolids management plan must be maintained and implemented.
9VAC25-31-485 G 2		Added new requirement: "2. The biosolids management plan and all of its components shall be incorporated as an enforceable part of the permit."	To clarify requirements.
9VAC25-31-485 G 3	9VAC25-31-485 G 2	Subdivision number revised to G 3.	Subdivision number revised to reflect addition of new requirement.
9VAC25-31-485 G 4	9VAC25-31-485 G 3	Subdivision number revised to G 4.	Subdivision number revised to reflect addition of new requirement.
9VAC25-31-490 B	Sampling and analysis. "B. Methods in the materials listed below shall be used to analyze samples..."	Language revised: "B. Methods in the materials listed below or in 40 CFR Part 136 shall be used to analyze samples..."	Revised based on comments received and to incorporate the currently approved methods.
9VAC25-31-500	Definitions: "Agronomic rate" – use of the term "ground water".	Replaced "ground water" with "groundwater".	To conform to common usage.
9VAC25-31-500	Definitions: "Annual pollutant loading rate"	Delete punctuation mark (").	Editorial correction.
9VAC25-31-500	Definitions: "Aquifer" – use of the term "ground water".	Replaced "ground water" with "groundwater".	To conform to common usage.
9VAC25-31-500	Definitions: "Biosolids".	Deleted definition of "biosolids".	Previously defined in 9VAC25-31-10. Elimination of redundancy. Based on discussions with the AG's Office.
9VAC25-31-500	Definitions: "Contaminate an aquifer" – use of the term "ground water".	Replaced "ground water" with "groundwater".	To conform to common usage.
9VAC25-31-500	Definitions: "Cover crop".	Deleted definition of "Cover crop".	Deleted definition "cover crop" because it is nutrient management related and defined in DCR regulation, based on TAC discussion.
9VAC25-31-500	Definitions: "Food crops" means crops consumed by humans. These include, but are not limited to, fruits, vegetables, and tobacco.	Revised to read: "Food crops" means crops produced primarily for consumption by humans. These include, but are not limited to, fruits, vegetables, and tobacco.	Revised to use consistent terminology throughout the regulations. Based on discussions with the AG's Office.
9VAC25-31-500	Definitions: "Ground water".	Replaced "ground water" with "groundwater".	To conform to common usage.

9VAC25-31-500	Definitions: "Land application".	Deleted definition of "Land application".	Replaced with new definition of "Land application", in regard to biosolids.
9VAC25-31-500	Definitions:	Added new definition: "Land application" means, in regard to biosolids, the distribution of biosolids by spreading or spraying on the surface of the land, injecting below the surface of the land, or incorporating into the soil with a uniform application rate for the purpose of fertilizing the crops and vegetation or conditioning the soil. Sites approved for land application of biosolids in accordance with this regulation are not to be considered to be treatment works. Bulk disposal of stabilized sludge in a confined area, such as landfills, is not land application. For the purpose of this regulation, the use of biosolids in agricultural research and the distribution and marketing of exceptional quality biosolids is not land application."	New "biosolids specific" definition of "land application" added to clarify requirements.
9VAC25-31-500	Definitions.	Added new definition: "Land application area" means, in regard to biosolids, the area in the permitted field, excluding the setback distances, where the biosolids may be applied.	Added new definition based on comments received.
9VAC25-31-500	Definitions:	Added new definition: "Land applier" means someone who land applies biosolids pursuant to a valid permit from the department as set forth in this regulation and 9VAC25-32-690 through 9VAC25-32-760."	Added new definition of "land applier" based on comments received.
9VAC25-31-500	Definition: "Malodor" means an unusually strong or offensive odor associated with biosolids or sewage sludge as distinguished from odors normally associated with biosolids or sewage sludge.	Deleted definition.	Term previously defined in 9VAC25-31-10.
9VAC25-31-500	Definitions: "Odor sensitive receptor" means, in context of land application of biosolids, a building or outdoor facility regularly used to host or	Revised definition to read: "Odor sensitive receptor" means in the context of land application of biosolids, any health care facility, such as hospitals, convalescent house, etc. or a building or	Revised to clarify definition. Based on discussions with the AG's Office.

	serve large groups of people such as schools, dormitories, athletic and other recreational facilities, hospitals and convalescent homes.	outdoor facility regularly used to host or serve large groups of people such as schools, dormitories, athletic and other recreational facilities.	
9VAC25-31-500	Definitions: "Person who prepares sewage sludge" means either the person who generates sewage sludge during the treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge."	Revised definition to read: "Person who prepares biosolids" means either the person who generates biosolids during the treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge."	Revised to be consistent with use in the regulations and based on comments received.
9VAC25-31-500	Definitions: "Qualified ground water scientist".	Replaced "ground water" with "groundwater" in the definition.	To conform to common usage.
9VAC25-31-500	Definitions:	Added new definition: "Use" means to manage or recycle a processed waste product in a manner so as to derive a measurable benefit as a result of such management."	To clarify requirements.
9VAC25-31-505 A 1	Universal requirements for land application operations – "A nutrient management plan approved by the Department of Conservation and Recreation shall be required..."	Renumbered existing language to: "1. A nutrient management plan approved..."	Renumbered to clarify - Put the existing language into a list.
9VAC25-31-505 A 1 a	Universal requirements for land application operations – "sites operated by an owner or lessee of a confined animal feeding operation..."	Renumbered existing language to: "a. sites operated by an owner or lessee of a confined animal feeding operation..."	Renumbered to clarify - Put the existing language into a list.
9VAC25-31-505 A 1 b	Universal requirements for land application operations – "sites where land application more frequently than once every three years..."	Renumbered existing language to: "b. sites where land application more frequently than once every three years..."	Renumbered to clarify - Put the existing language into a list.
9VAC25-31-505 A 1 b	"b. sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed; and	Delete "and". Revised to read: "b. sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed;	Revised to account for the addition of a new subdivision.
9VAC25-31-505 A 1 c		Added new requirement: "c. mined or disturbed land sites	Added requirement to be consistent with

		where land application is proposed at greater than agronomic rates; and	requirements throughout the regulations relating to biosolids.
9VAC25-31-505 A 1 d	Universal requirements for land application operations – "other sites based on site-specific conditions..."	Renumbered existing language to: "d. other sites based on site-specific conditions..."	Renumbered to clarify - Put the existing language into a list.
9VAC25-31-505 A 1 e	Universal requirements for land application operations.	Added new language: "e. Where conditions at the land application site change so that it meets one or more of the specific conditions identified in this section, an approved nutrient management plan shall be submitted prior to any future land application at the site."	Clarifies that approved NMP is required for these conditions for all sites, not only those included at the time of permit application
9VAC25-31-505 A 2	Universal requirements for land application operations.	Added new requirement: "2. The nutrient management plan shall be available for review by the department at the land application site during biosolids land application."	To be consistent with VPA and clarify requirements in accordance with § 62.1-44.19:3.
9VAC25-31-505 A 3	Universal requirements for land application operations.	Added new requirement: "3. Within 30 days after land application at the site has commenced, the permit holder shall provide a copy of the nutrient management plan to the farm operator of the site, the Department of Conservation and Recreation and the chief executive officer or designee for the local government, unless they request in writing not to receive the nutrient management plan."	To be consistent with VPA and clarify requirements in accordance with § 62.1-44.19:3.
9VAC25-31-505 A 4	Universal requirements for land application operations.	Added new requirement: "4. The nutrient management plan must be approved by the Department of Conservation and Recreation prior to land application for land application sites where the soil test phosphorus levels exceed the values in Table 1 of this section. For purposes of approval, permittees should submit the nutrient management plan to the Department of Conservation and Recreation at least 30 days prior to the anticipated date of land application to ensure adequate time for the approval process."	To be consistent with VPA and clarify requirements in accordance with § 62.1-44.19:3.
9VAC25-31-505 A 4	Universal requirements for land application	Added Table 1 entitled "Soil Phosphorus Levels Requiring	Added: 9VAC25-31-505 Table 1 to identify the P

	operations.	NMP Approval" that identifies soil phosphorus levels for regions within the state.	levels that require pre approved NMP to clarify requirements.
9VAC25-31-505 B	"Sewage sludge shall be treated to meet standards for land application of biosolids as required ...No person shall alter the composition of biosolids at a site approved for land application of biosolids under a Virginia Pollution Abatement Permit...	Revised reference to "a Virginia Pollution Abatement Permit" to "VPDES Permit".	Correction of permit program reference.
9VAC25-31-505 C	Bulk biosolids shall be land applied in accordance with the Virginia Pollution Abatement Permit Regulation, Article 3, Biosolids Use Standards and Practices set forth in 9VAC25-32-490 through 9VAC25-32-660."	Revised language to read: "C. Bulk biosolids meeting Class B pathogen reduction standards shall be land applied in accordance with the Virginia Pollution Abatement Permit Regulation, Article 3, Biosolids Use Standards and Practices set forth in 9VAC25-32-490 through 9VAC25-32-580."	Revised to clarify requirements and Corrected to include only sections through 9VAC25-32-580; sections 590 – 660 were repealed.
9VAC25-31-505 D	"Surface incorporation may be required on cropland by the department, or the local monitor with approval of the department, to mitigate excessive odors, when incorporation is practicable and compatible with a soil conservation plan meeting the standards and specifications of the U.S. Department of Agriculture Natural Resources Conservation Service."	Revised language to read: "Surface incorporation may be required on cropland by the department, or the local monitor with approval of the department, to mitigate malodors, when incorporation is practicable and compatible with a soil conservation plan of contract meeting the standards and specifications of the U.S. Department of Agriculture Natural Resources Conservation Service."	Revised based on comments received.
9VAC25-31-505 E	"For applications where surface applied biosolids are not incorporated, the department (or local monitor with approval of the department) may require as a site-specific permit condition, extended buffer zone setback distances when necessary to protect odor sensitive receptors."	Revised to read: "E. For applications where surface applied biosolids are not incorporated, the department (or local monitor with approval of the department) may require as a site-specific permit condition, extended setback distances when necessary to protect odor sensitive receptors."	Deleted the phrase "buffer zone" to be consistent with usage in the regulations.
9VAC25-31-510 B 1	General requirements for bulk biosolids: "The general requirements in 9VAC25-31-530 and the	Revised to read: "The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 B through F	Specified exemption of 9VAC25-32-550 B through F; A refers to VPA biosolids part that

	management practices in 9VAC25-31-550 do not apply..."	do not apply..."	includes distribution and marketing of EQ biosolids and cannot be exempted.
9VAC25-31-510 C 1	General requirements for bulk material derived from biosolids: "The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 do not apply..."	Revised to read: "The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 B through F do not apply..."	Specified exemption of 9VAC25-32-550 B through F; A refers to VPA biosolids part that includes distribution and marketing of EQ biosolids and cannot be exempted.
9VAC25-31-510 E	"The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 do not apply..."	Revised to read: "The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 B through F do not apply..."	Specified exemption of 9VAC25-32-550 B through F; A refers to VPA biosolids part that includes distribution and marketing of EQ biosolids and cannot be exempted.
9VAC25-31-510 F	"The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 do not apply..."	Revised to read: "The general requirements in 9VAC25-31-530 and the management practices in 9VAC25-31-550 B through F do not apply..."	Specified exemption of 9VAC25-32-550 B through F; A refers to VPA biosolids part that includes distribution and marketing of EQ biosolids and cannot be exempted.
9VAC25-31-540 B – Table 1	Table 1 – Footnote ⁽¹⁾ Biosolids with a molybdenum concentration greater than 40 mg/kg shall not be applied to land used for livestock grazing."	Deleted footnote reference and associated footnote in Table 1.	Based on comments received.
9VAC25-31-540 B – Table 2	Table 2 – Footnote ⁽²⁾ The maximum cumulative application rate is currently under study by USEPA."	Revised footnote to read: ⁽²⁾ The maximum cumulative application rate is currently under study by USEPA. Research suggests that for Molybdenum a cumulative pollutant loading rate below 40 kg/hectare may be appropriate to reduce the risk of copper deficiency in grazing animals."	Revised based on comments received.
9VAC25-31-540 B Table 3	Table 3 – Footnote ⁽¹⁾ The monthly average concentration is currently under study by the USEPA."	Revised footnote to read: ⁽¹⁾ The monthly average concentration is currently under study by the USEPA. Research suggests that a monthly average Molybdenum concentration below 40 mg/kg may be appropriate to reduce the risk of copper deficiency in grazing animals."	Revised based on comments received.

9VAC25-31-543 A	Soils monitoring – "A. Soil shall be sampled and analyzed prior to biosolids application to determine site suitability and to provide background data. Soil shall be sampled and analyzed in accordance with Table 1 of this section. Reduced monitoring may apply for typical agricultural projects where biosolids are applied to farmland at or below agronomic rates or on an infrequent basis (Table 1 of this section). Reduced monitoring may also apply to one-time biosolids applications to forest or reclaimed lands. For background analysis, random composite soil samples from the zone of incorporation are required for infrequent applications and frequent applications at less than agronomic rates (total less than 15 dry tons per acre)."	Revised to read: "A. Soil shall be sampled and analyzed prior to biosolids application to determine site suitability and to provide background data. No sample analysis used to determine application rates shall be more than 3 years old at the time of biosolids land application. Soil shall be sampled and analyzed in accordance with Table 1 of this section. Reduced monitoring may also apply to one-time biosolids applications to forest or reclaimed lands. For background analysis, random composite soil samples from the zone of incorporation are required for infrequent applications and frequent applications at less than agronomic rates (total less than 15 dry tons per acre)."	Revised to clarify requirements. Struck Reduced monitoring will usually apply for typical agricultural utilization projects where biosolids are applied to farmland at or below agronomic rates or on an infrequent basis (see Table 1) because table was restructured to eliminate variations due to chosen application methods.
9VAC25-31-543 A	Table 1 – Soil Test Parameters for Land Application Sites and Application frequencies and Supernatant.	Deleted application frequencies and storage parameters. Revised table to address only soil test parameters of Soil pH (Std. Units; Available phosphorus (ppm); Extractable potassium (ppm); Extractable sodium (mg/100g); Extractable calcium (mg/100g); Extractable magnesium (mg/100g); Zinc (ppm); and Manganese (ppm) and revised and clarified footnotes.	Deleted categories, parameters are required for all application rates, supernatant is not related to soil and is considered a biosolids and follows that monitoring. Deleted nitrate, not a parameter typically monitored in the soil. Deleted Bray method from footnotes because it is no longer allowed.
9VAC25-31-545	Crop monitoring.	Delete section.	The regulation now requires NMP for all sites, crop monitoring will not be required
9VAC25-31-547	Ground water monitoring.	Revised to read: "Groundwater monitoring."	To conform to common usage. Based on discussions with the AG's Office.
9VAC25-31-547 A	"A. Monitoring wells may be required by the department for land treatment sites, sludge	Replaced "ground water" with "groundwater". Revised to read: "A. Monitoring wells may be required by the department for	To conform to common usage. Based on discussions with the AG's Office.

	lagoons, biosolids land application sites, or biosolids storage facilities to monitor ground water quality."	land treatment sites, sludge lagoons, biosolids land application sites, or biosolids storage facilities to monitor groundwater quality."	
9VAC25-31-547 B	"B. If ground water monitoring is required, a ground water monitoring plan shall be submitted to the department for approval that includes at a minimum:"	Replaced "ground water" with "groundwater" 2 times in subsection. Revised to read: "B. If groundwater monitoring is required, a groundwater monitoring plan shall be submitted to the department for approval that includes at a minimum:"	To conform to common usage. Based on discussions with the AG's Office.
9VAC25-31-550 F	Management practices – "F. Either a label shall be affixed to the bag or other container in which biosolids that is sold or given away for application to the land, or an information sheet shall be provided to the person who received biosolids sold of given away in an other container for application to the land..."	Revise language to include phrase "in a bag or". Subdivision now reads: "F. Either a label shall be affixed to the bag or other container in which biosolids that is sold or given away for application to the land, or an information sheet shall be provided to the person who received biosolids sold of given away in a bag or container for application to the land..."	Revised to clarify requirements.
9VAC25-31-580 B 4	"4. The nitrogen requirement for the crop or vegetation grown on each site during a 365-day period;"	Added "phosphorus" to the requirements. Revised to read: "4. The nitrogen and phosphorus requirement for the crop or vegetation grown on each site during a 365-day period;"	Revised to clarify requirements.
9VAC25-31-590 B	Reporting requirements: "B. An activity report shall be submitted (electronically or postmarked) to the department by the 15 th of the month unless another date is specified in the permit in accordance with 9VAC25-32-80 I 4. The report shall indicate those sites where land application activities took place during the previous month."	Language revised to read: "B. An activity report shall be submitted (electronically or postmarked) to the department by the 15 th of each month for land application activity that occurred in the previous calendar month unless another date is specified in the permit in accordance with 9VAC25-32-80 I 4. The report shall indicate those sites where land application activities took place during the previous month. If no land application occurs under a permit during the calendar month, a report shall be submitted stating that no land application occurred."	Revised to clarify requirements and to be consistent with changes made to Fee regulations.
9VAC25-31-590 C	"C. Biosolids application rate shall be calculated using results from sampling and analysis	Deleted 12 month rolling average requirement. Replaced with language from 9VAC25-31-590 D.	Based on comments received and to clarify requirements.

	completed during the most recent 12 months of monitoring. For proposed treatment works, rates may be initially based on the biosolids characteristic produced by similar generating facilities.		
9VAC25-31-590 D	"D. Records shall be maintained documenting the required treatment and quality characteristics and the maximum allowable land application loading rates established for biosolids use..."	Renumbered to 9VAC25-31-590 C.	Renumbered to account for deletion of previous subdivision.
9VAC25-31-710 A 3 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 4 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 5 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 5 b (3)	"(3) When the density of enteric viruses in the sewage sludge prior to pathogen treatment...operating parameters for the pathogen treatment process that produces the biosolids that meets the enteric virus density requirement are documented."	Reinsert the term "sewage sludge" in place of "biosolids". Revised to read: "(3) When the density of enteric viruses in the sewage sludge prior to pathogen treatment...operating parameters for the pathogen treatment process that produces the sewage sludge that meets the enteric virus density requirement are documented."	Revised to correct usage of terms.
9VAC25-31-710 A 5 b (4)	"(4) After the enteric virus reduction in subdivision 5 b (3) of this subsection is	Reinsert the term "sewage sludge" in place of "biosolids". Revised to read: "(4) After the	Revised to correct usage of terms.

	demonstrated for the pathogen treatment process, the biosolids continues to be Class A with respect to enteric viruses..."	enteric virus reduction in subdivision 5 b (3) of this subsection is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to enteric viruses..."	
9VAC25-31-710 A 6 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 6 b	"b. The density of enteric viruses in the biosolids shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "b. The density of enteric viruses in the biosolids shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 6 c	"c. The density of viable helminth ova in the biosolids shall be less than one per four grams of total solids (dry weight basis) at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase: "or disposed". Revised to read: "c. The density of viable helminth ova in the biosolids shall be less than one per four grams of total solids (dry weight basis) at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 7 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 A 8 a	"a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used; at the time the biosolids is prepared for sale..."	Revised to reinsert the phrase "or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than...at the time the biosolids is used or disposed; at the time the biosolids is prepared for sale..."	To clarify requirements and to use consistent terminology throughout the regulations.
9VAC25-31-710 C 1	Domestic septage. "1. The site restriction in subdivision 6 of this section shall be met when domestic septage is applied to agricultural land, forest, or a	Subdivision designations deleted to account for deletion of C 2 – option to lime stabilize septage.	The option to lime stabilize septage was stricken in order to avoid additional site restrictions. Land application of lime stabilized septage in

	reclamation site;"		prohibited by Virginia statute.
9VAC25-31-710 C 2	Domestic septage. "2. The pH of domestic septage applied to agricultural land, forest, or a reclamation site shall be raised to 12 or higher..."	Subdivision deleted.	The option to lime stabilize septage was stricken in order to avoid additional site restrictions. Land application of lime stabilized septage in prohibited by Virginia statute.
9VAC25-31 – Documents Incorporated by Reference	Reference document: Method 1668B.	Strike document from references.	The requirement to use 1668B for PCB analysis has been eliminated from the requirements.
9VAC25-32	The use of the phrase "Operations management plan".	Revised phrase to read: "biosolids management plan" throughout regulation.	Revised based on comments received; confusing with the term operations and maintenance Manual.
9VAC25-32	The use of the term "Ground water".	Revised term to groundwater throughout regulation.	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32	The use of the terms Buffer and Buffer zone.	The term buffer was replaced with setback distance and the term buffer zone was replaced with setback area throughout the regulation.	Revised to clarify requirements and to avoid confusion with "vegetated buffers".
9VAC25-32-10	Definitions. "Agronomic rate" means the whole sludge application rate (dry weight basis) designed: (1) to provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop, or vegetation grown on the land and (ii) to minimize the amount of nitrogen in the biosolids that passes below the root zone of the crop or vegetation grown on the land to the ground water."	Revised definition to relate "agronomic rate" specifically to biosolids and to replace "ground water" with "groundwater". Definition now reads: "Agronomic rate" means, in regard to biosolids the whole sludge application rate (dry weight basis) designed: (1) to provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop, or vegetation grown on the land and (ii) to minimize the amount of nitrogen in the biosolids that passes below the root zone of the crop or vegetation grown on the land to the groundwater."	Revised to clarify requirements and to be consistent with common usage.
9VAC25-32-10	Definitions: "Biosolids" means a sewage sludge that has received an established treatment and is managed in a manner to meet the required	Added additional information to definition regarding dry residue content. Revised to read: "Biosolids" means a sewage sludge that has received an established treatment and is	Revised to clarify definition and to provide additional information.

	pathogen control and vector attraction reduction, and contains concentrations of regulated pollutants below the ceiling limits established in 40 CFR Part 503 and 9VAC25-32-660, such that it meets the standards established for use of biosolids for land application, marketing, or distribution in accordance with this regulation.	managed in a manner to meet the required pathogen control and vector attraction reduction, and contains concentrations of regulated pollutants below the ceiling limits established in 40 CFR Part 503 and 9VAC25-32-660, such that it meets the standards established for use of biosolids for land application, marketing, or distribution in accordance with this regulation. Liquid biosolids contains less than 15% dry residue by weight. Dewatered biosolids contains 15% or more dry residue by weight.	
9VAC25-32-10	Definitions: "Odor sensitive receptor" means, in context of land application of biosolids, a building or outdoor facility regularly used to host or serve large groups of people such as schools, dormitories, athletic and other recreational facilities, hospitals and convalescent homes.	Revised definition to read: "Odor sensitive receptor" means in the context of land application of biosolids, any health care facility, such as hospitals, convalescent house, etc. or a building or outdoor facility regularly used to host or serve large groups of people such as schools, dormitories, athletic and other recreational facilities.	Revised to clarify definition. Based on discussions with the AG's Office.
9VAC25-32-10	Definitions: "Cover crop" means a crop, such as oats, wheat, or barley, not grown for harvest.	Deleted definition of "cover crop".	Deleted definition because it is nutrient management related and defined in DCR regulation, based on TAC discussion.
9VAC25-32-10	Definitions. "Facilities" means processes, equipment, storage devices and dedicated sites..."	Revised definition to be specific to biosolids. Definition revised to read: "Facilities" means, in regard to biosolids, processes, equipment, storage devices and dedicated sites..."	Revised to clarify requirements and to be specific to the biosolids regulations.
9VAC25-32-10	Definitions. "Ground water" means...	Replaced "ground water" with "groundwater".	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32-10	Definitions. "Land application" means the distribution of either treated wastewater...For the purpose of this regulation, the use of biosolids in agricultural research is not land application.	Revised definition to read: "Land application" means, in regard to biosolids, the distribution of either treated wastewater...For the purpose of this regulation, the use of biosolids in agricultural research and the distribution and marketing of exceptional quality biosolids are	Revised to clarify requirements.

		not land application.	
9VAC25-32-10	Definitions.	Added new definition. "Land application area" means, in regard to biosolids, the area in the permitted field, excluding the setback areas, where biosolids may be applied.	Based on comments received.
9VAC25-32-10	Definitions. "Person who prepares sewage sludge" means either the person who generates sewage sludge during the treatment of domestic sewage in a treatment works or the person who derives the material from sewage sludge.	Revised to read: "Person who prepares biosolids" means either the person who generates biosolids during the treatment of domestic sewage in a treatment works or the person who derives the material from sewage sludge.	Revised to be consistent with use in the regulation, based on comments received.
9VAC25-32-10	Definitions.	New definition. "Setback area" means the area of land between the boundary of the land application area and adjacent features where biosolids or other manager pollutants may not be land applied.	Added to clarify terminology in the regulation.
9VAC25-32-10	Definitions: "Sewage sludge" or "sludge" means any solid, semisolid, or liquid residues generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes but it is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ach generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. Liquid sludge contains less than 15% dry residue by weight. Dewatered sludge contains 15% or more dry residue by weight.	Revised to read: "Sewage sludge" means any solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ach generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.	Revised definition to be consistent with the use of the term throughout the regulations.
9VAC25-32-	Definitions. "Vector	Revised to read: "Vector	Revised to be consistent

10	attraction" means the characteristic of sewage sludge that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.	attraction" means the characteristic of biosolids or sewage sludge that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.	with VPDES. Based on comments received.
9VAC25-32-10	Definitions: "Toxic pollutant" means any agent or material including, but not limited to, those listed under § 307 (a) of the Clean Water Act (33 USC § 1317 (a)) which after discharge will, on the basis of available information, cause toxicity.	Revised definition to read: "Toxic pollutant" means any pollutant listed as toxic under section 307 (a)(1) or in the case of :sludge use or disposal practices" any pollutant identified in regulations implementing section 405 (d) of the CWA.	Revised to clarify and to correct citation.
9VAC25-32-10	Definitions.	Added new definition: "Vegetated buffer" means a permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to the dominant slope of the field for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the field and reaching surface waters.	Added to clarify changes to buffers and buffer (setback) language in the regulation.
9VAC25-32-40 4	Exclusions. "4. Land disposal activity, including biosolids use or sewage sludge disposal or onsite waste treatment, when this activity is otherwise authorized by the department; and"	Subdivision revised: "4. Land disposal activity, including biosolids use or sewage sludge disposal or onsite waste treatment, when this activity is otherwise authorized by the department; and"	Revised to account for the addition of a new exclusion.
9VAC25-32-40 5	Exclusions.	Added a new exclusion: "5. Land disposal activity, including onsite waste treatment, when this activity is authorized by a Virginia Department of Health permit; and	
9VAC25-32-40 6	"9VAC25-32-40 5: Discharge authorized by EPA under the Safe Drinking Water Act Underground Injection Control Program (UIC), 40 CFR Part 144, and approved, in writing, by the board."	Subdivision numbering revised: "9VAC25-32-40 6: Discharge authorized by EPA under the Safe Drinking Water Act Underground Injection Control Program (UIC), 40 CFR Part 144, and approved, in writing, by the board."	Subdivision numbering revised to account for the addition of a new exclusion.

9VAC25-32-60 D 3	Application for a VPA permit. "3. In accordance with § 62.1-44.19:3 A of the Code of Virginia, no application for a permit or variance to authorize the storage of biosolids shall be complete unless it contains certification from the governing body of the locality in the biosolids is to be stored..."	Revised to read: "3. In accordance with § 62.1-44.19:3 A of the Code of Virginia, no application for a permit or variance to authorize the storage of biosolids shall be complete unless it contains certification from the governing body of the locality in which the biosolids is to be stored..."	Grammatical correction.
9VAC25-32-60 D 4	Application for a VPA permit. "4. No application for a permit to land apply biosolids in accordance with Part IX (9VAC25-32-310 et seq. of this chapter shall be complete..."	Revised to read: "4. No application for a permit to land apply biosolids in accordance with Part IX (9VAC25-32-303 et seq. of this chapter shall be complete..."	Corrected section reference to 9VAC-25-32-303, due to section renumbering, oversight in original amendments.
9VAC25-32-60 E	Application for a VPA permit. "E. Information requirements. All applicants for a VPA permit shall provide information to the department using the application forms provided by the department."	Revised to read: "E. Information requirements. All applicants for a VPA permit shall provide information to the department using the most current application forms provided by the board."	Added "most current" forms; clarified that forms must be provided by the "board" based on concerns of the SWCB.
9VAC25-32-60 F 1 b	Application for a VPA permit. F 1 b. "Owner contact information."	Revised to include specific information required: F 1 b "Owner contact information including (1) name; (2) mailing address; (3) telephone number; and (4) email address."	Revised to clarify requirements.
9VAC25-32-60 F 1 c	Application for a VPA permit. F 1 c. "A general description of the proposed plan including:"	Revised to read: "A general description of the proposed activity including:"	Revised to clarify requirements.
9VAC25-32-60 F 1 c (1)	Application for a VPA permit. F 1 c (1). "Name and location of generators and owners;"	Revised to read: "Name and location of generators involved and their owners;"	Revised to clarify requirements.
9VAC25-32-60 F 1 c (2)	Application for a VPA permit. F 1 c (2). "Biosolids quality, biosolids treatment and handling processes;"	Revised to read: "Biosolids quality and the generator's biosolids treatment and handling processes;"	Revised to clarify requirements.
9VAC25-32-60 F 1 c (3) (c)	Generator's odor control plan, that contains at minimum: "(c) Methods used to abate malodorous biosolids if delivered to the field, prior to land application; and:	Revised to read: "(c) Methods used to identify and abate malodorous biosolids if delivered to the field, prior to land application; and:	Revised to clarify requirements and add omitted item.
9VAC25-32-	"Written permission of	Revised to delete reference to	Revised to clarify

60 F 1 d	landowners and farmers on a form approved by the board and pertinent lease agreements as may be necessary for operation of the treatment works."	"farmers" and to refer to "the most current form approved by the board". Now reads: "Written permission of landowners on the most current form approved by the board and pertinent lease agreements as may be necessary for operation of the treatment works."	requirements.
9VAC25-32-60 F 1 f	"A copy of a letter of approval of the nutrient management plan for the operation from the Department of Conservation and Recreation if required by subdivision 3 c of this subsection."	Revised subdivisions reference. Language now reads: "A copy of a letter of approval of the nutrient management plan for the operation from the Department of Conservation and Recreation if required by subdivision 3 b of this subsection."	Revised to correct subdivision reference.
9VAC25-32-60 F 2 a (1)	Design Information. "a. Biosolids characterization...(1) When applying for authorization to land apply a biosolids source not previously included in a VPDES or Virginia Pollution Abatement Permit..."	Revised to read: "a. Biosolids characterization... (1) When applying for authorization to land apply a biosolids source not previously included in a VPDES or VPA Permit..."	Replaced Virginia Pollution Abatement permit with VPA permit to maintain consistent formatting.
9VAC25-32-60 F 2 a (3) (a)	Applicants must provide: "(a) Biosolids analytical data...Existing data may be used in lieu of sampling done solely for the purpose of this application;"	Added statement: Subdivision now reads: "(a) Biosolids analytical data...Existing data may be used in lieu of sampling done solely for the purpose of this application. The department may reduce the number of samples collected based on site specific conditions;"	Revised to clarify requirements.
9VAC25-32-60 F 2 a (4)	"Samples shall be collected and analyzed in accordance with analytical methods specified in EPA SW 846...Samples for PCB analysis shall be collected and analyzed in accordance with EPA Method 1668B; and"	Revised to read: "Samples shall be collected and analyzed in accordance with analytical methods specified in 40 CFR Part 503 (March 26, 2007) and 40 CFR Part 136 (March 26, 2007); and"	Struck EPA SW846 to be consistent with 40 CFR Part 503 which references 40CFR Part 136 and requires specific methods. Struck PCB analysis requirements, since they are included in 40 CFR Part 136 and Method 1668B is not approved for use.
9VAC25-32-60 F 2 b (8)	"Ground water monitoring plans for facilities proposing storage of liquid biosolids or supernatant including pertinent geohydrological	Replaced "ground water" with "groundwater" and revised subdivision to read: "Groundwater monitoring plans for facilities if required by the department. The groundwater	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.

	data to justify upgradient and downgradient well location and depth."	monitoring plan shall include pertinent geohydrological data to justify upgradient and downgradient well location and depth."	Revised language because regulation requires storage on engineered impervious surfaces.
9VAC25-32-60 F 2 d (1)	Land application sites: "(1) DEQ control number, if previously assigned, identifying each land application field or site and the site's location;"	Revised to include a provision in those cases where a DEQ control number has not been assigned. Subdivision revised to read: "(1) DEQ control number, if previously assigned, identifying each land application field. If a DEQ control number has not been assigned, provide the site identification code used by the permit applicant to report activities and the site's location."	Revised to clarify requirements and to include requirements in those case where a DEQ control number has not been assigned.
9VAC25-32-60 F 2 d (2)	Land application sites: "(2) The site's latitude and longitude to the nearest second and the method of determination;"	Revised to read: "(2) The site's latitude and longitude in decimal degrees to three decimal places and the method of determination;"	Changed lat/long units to "in decimal degrees to three decimal places" in keeping with technology.
9VAC25-32-60 F 2 d (3)	Land application sites: "(3) A legible topographic map of proposed application areas to scale as needed to depict the following features..."	Revised to read: "(3) A legible topographic map and aerial photograph, including legend, of proposed application areas to scale as needed to depict the following features..."	Added requirement for "aerial photograph, including legend" in keeping with technology and better identify sites and their features, based on field experience.
9VAC25-32-60 F 2 d (3) (g)	"Frequently flooded areas (National Resources Conservation Service (NRCS) designation; and"	Revised to read: "Frequently flooded areas (National Resources Conservation Service (NRCS) designation;"	Revised to account for the addition of a new requirement.
9VAC25-32-60 F 2 d (3) (h)	"(h) The gross acreage of the fields where biosolids will be applied;"	Moved condition to a new subdivision (j) and replaced with: "Occupied dwellings within 400 feet of the property boundaries and all existing dwelling and property line setback distances;"	Added to clarify changes to buffers/setbacks and buffer/setback language in the regulation.
9VAC25-32-60 F 2 d (3) (i)		Added new requirement: "(i) Publicly accessible properties and occupied buildings within 400 feet of the property boundaries and the associated extended setback distances; and"	Added to clarify changes to buffers/setbacks and buffer/setback language in the regulation.
9VAC25-32-60 F 2 d (3) (j)	9VAC25-32-60 F 2 d (3) (h)	Subdivision renumbered to (j).	Subdivision renumbered to account for the addition of two new requirements.
9VAC25-32-60 F 2 d (5)	"(5) County tax maps for each farm to be included in the permit which may	Revised to read: "(5) County tax maps labeled with Tax Parcel ID(s) for each farm to be	Added "labeled with Tax ID(s)" to better identify field owners in response

	include multiple fields;"	included in the permit, which may include multiple fields to depict properties within 400 feet of the field boundaries;"	to SWCB concerns regarding permit issuance. Added to clarify changes to buffers and buffer language in the regulation.
9VAC25-32-60 F 2 d (7)	"(7) The name, mailing address, and telephone number of the site owner, if different from the applicant;"	Revised to read: "(7) The name, mailing address, and telephone number of each site owner, if different from the applicant;"	Clarified to include information for "each site owner" to address SWCB concerns regarding identification of property owners and permit issuance.
9VAC25-32-60 F 2 d (11)	"(11) Whether either of the vector attraction reduction options of 9VAC25-32-685 B 9 or B 10 is met at the site..."	Subdivision deleted.	Struck – this is not planned at the time of permit application; these methods are used to address emergency situations; based on comments received.
9VAC25-32-60 F 2 d (12)	"(12) For projects utilizing frequent application of biosolids at agronomic rates the following additional site information will be necessary: (a) Information...(b) Representative soil borings...(c) Additional soil testing...(d) Ground water monitoring plans..."	Subdivision deleted.	Deleted language because land application rates and frequency will be dictated by NMP; agronomic rate annually will not be allowed by an NMP.
9VAC25-32-60 F 2 d (13)	"(13) The following information for each land application site that has been identified..."	Renumbered to (11) and changed reference to Table 2 to "Table 3".	Renumbered due to deletion of previous subdivisions. Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments (5 table reference changes in paragraph).
9VAC25-32-60 F 2 d (14)	"(14) If not all land application sites have been identified... (a) Describes the geographical area...(b) Identifies the site selection...(c) Describes how the site...(d) Provides for advance notice...(e) Provides for advance public notice..."	Deleted requirement.	Deleted Land Application Plan language because notification requirements in statute supersede the addition of land with administrative approval. Based on comments received.
9VAC25-32-	"3. A biosolids operations	Deleted term "operations".	Revised term to

60 F 3	management plan shall be provided..."	Revised to read: "3. A biosolids management plan shall be provided.	biosolids management plan throughout regulation based on comments received; confusing with the term operations and maintenance Manual.
9VAC25-32-60 F 3 (a)	"a. Description of operation: A comprehensive, general description of the operation shall be provided, including biosolids source or sources; quantities; flow diagram illustrating treatment works biosolids flows and solids handling units; site description; methodology of biosolids handling for application periods, including storage and nonapplication period storage; and alternative management methods when storage is not provided."	Revised to read: "a. Description of operation: A comprehensive, general description of the operation as required by 9VAC25-32-60.	Replaced with a comprehensive, general description of the operation as required by 9VAC25-32-60.
9VAC25-32-60 F 3 (b)	"b. A nutrient management plan approved by the Department of Conservation and Recreation shall be required for application sites prior to board authorization..."	Revised to read: "b. A nutrient management plan approved by the Department of Conservation and Recreation as required for application sites prior to board authorization..."	Revised to clarify requirements.
9VAC25-32-60 F 3 (b) (2)	"(2) Sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed; and"	Delete "and". Revised to read: "(2) Sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed;"	Revised to account for the addition of a new requirement.
9VAC25-32-60 F 3 (b) (3)	"(3) Mined land sites where land application is proposed at greater than agronomic rates."	Revised to read "(3) Mined or disturbed land sites where land application is proposed at greater than agronomic rates; and."	Revised language to clarify requirements.
9VAC25-32-60 F 3 (b) (4)		Added new requirement: "(4) Other sites based on site-specific conditions that increase the risk that land application may adversely impact state waters.	Revised to clarify requirements. Based on comments received.
9VAC25-32-60 F 4 a	Biosolids transport. "(a). Description and specification on the bed or	Revised to read: "(a). General description of transport vehicles to be used."	Revised based on comments received.

	the tank vehicle."		
9VAC25-32-60 F 4 b	"b. Haul routes to be used from the biosolids generator to the storage unit and land application sites."	Delete requirement and replace with 9VAC25-32-60 F 4 c.	Revised based on comments received.
9VAC25-32-60 F 4 b	9VAC25-32-60 F 4 c: "Procedures for biosolids offloading at the biosolids facilities and the land application site together with spill prevention, cleanup (including vehicle cleaning); field reclamation and emergency spill notification and cleanup measures."	9VAC25-32-60 F 4 c renumbered to 9VAC25-32-60 F 4 b.	Renumbered to account for deletion of previous subdivision.
9VAC25-32-60 F 4 c	9VAC25-32-60 F 4 d	9VAC25-32-60 F 4 d renumbered to 9VAC25-32-60 F 4 c.	Renumbered to account for deletion of previous subdivisions and renumbering of subdivisions.
9VAC25-32-60 F 5 a (4)	"(4) Field reclamation of offloading (staging) areas."	Revised to read: "(4) Reestablishment of offloading and staging areas."	Revised to clarify requirements.
9VAC25-32-60 F 5 b (3)	"(3) Procedures used to ensure that operations address the following constraints: application of biosolids to frozen ground, pasture or hay fields, crops for direct human consumption and saturated or ice-covered or snow-covered ground; maintenance of buffer zones; slopes; prohibited access..."	Revised to replace "buffer zones" with "setback distances". Revised to read: "(3) Procedures used to ensure that operations address the following constraints: application of biosolids to frozen ground, pasture or hay fields, crops for direct human consumption and saturated or ice-covered or snow-covered ground; establishment of setback distances; slopes; prohibited access..."	Revised to clarify requirements; to avoid confusion with "vegetated buffers" and for consistence within the regulations.
9VAC25-32-80 I 6 a	Reporting requirements. 24-hour reporting. "a. The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health. An oral report must be provided as soon as possible, but in no case later than 24 hours..."	Revised to include who the oral report must be provided to. Language now reads: "a. The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health. An oral report must be provided to the department as soon as possible, but in no case later than 24 hours..."	Revised to clarify requirements.
9VAC25-32-100 E	"E. Biosolids land application. Where, because of site-specific conditions...the	Revised to replace "buffering" with "setback distances". Language revised to read: "E. Biosolids land application.	Revised to clarify requirements; to avoid confusion with "vegetated buffers" and

	department may incorporate in the permit at the time it is issued reasonable special conditions regarding buffering, transportation routes..."	Where, because of site-specific conditions...the department may incorporate in the permit at the time it is issued reasonable special conditions regarding setback distances, transportation routes..."	for consistence within the regulations.
9VAC25-32-140 B 3	"3. Following the submission of an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge, or stabilized septage, DEQ shall notify or cause to be notified persons residing on property bordering the sites that contain the proposed land application fields..."	Revised to refer to "the department" and "making a good faith effort for notification". Revised to read: "3. Following the submission of an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge, or stabilized septage, the department shall make a good faith effort to notify or cause to be notified persons residing on property bordering the sites that contain the proposed land application fields..."	Revised to clarify requirements. Based on discussions with the AG's Office.
9VAC25-32-140 D	"D. Before issuing any permit, if the department finds that there are localities particularly affected by the permit, the department shall:"	Replaced "department" with "board". Revised to read: "D. Before issuing any permit, if the board finds that there are localities particularly affected by the permit, the board shall:"	Revised for consistency within the regulations and with current policies and procedures..
9VAC25-32-140 D 2	"Written comments shall be accepted by the department for at least 15 days after any public hearing on the permit, unless the department decides to shorten the period..."	Replaced "department" with "board" and "department decides" with board votes". Revised to read: "Written comments shall be accepted by the board for at least 15 days after any public hearing on the permit, unless the board votes to shorten the period..."	Revised for consistency within the regulations and with current policies and procedures.
9VAC25-32-240 C	"C. An application for any permit amendments to increase the acreage authorized by the permit shall not be considered a minor modification and shall require the public involvement procedures outlined in 9VAC25-32-140 C."	Revised to include reference to the "initial permit" and to clarify that increases of acreage are required to follow certain public participation requirements. Revised to read: "C. An application for any permit amendments to increase the acreage authorized by the initial permit shall require the public involvement procedures outlined in 9VAC25-32-140 C."	Revised to clarify requirements and for consistency within the regulations. Based on discussions with the AG's Office.
9VAC25-32-305 D	"D. No person shall land apply, market or distribute biosolids in Virginia unless the biosolids has been approved by the	Revised to include reference to the biosolids "source". Revised to read: "D. No person shall land apply, market or distribute biosolids in Virginia unless the	Revised to clarify requirements.

	board."	biosolids source has been approved by the board."	
9VAC25-32-307 A	"A. Disposal of sewage sludge in a municipal solid waste landfill unit that complies with the requirements in the Virginia Solid Waste Management Regulation (9VAC20-80) constitutes compliance..."	Revised regulation reference from 9VAC20-80 to 9VAC20-81.	Corrected reference error.
9VAC25-32-307 B	"B. Any person who prepares sewage sludge that is disposed in a municipal solid waste landfill unit shall ensure that the sewage sludge meets the requirements in 9VAC20-80 concerning the quality..."	Revised regulation reference from 9VAC20-80 to 9VAC20-81.	Corrected reference error.
9VAC25-32-313 C	"C. No person shall apply bulk biosolids subject to the cumulative pollutant loading rates in 9VAC25-32-356 Table 2 to agricultural land, forest, a public contact site, or a reclamation site if any of the cumulative pollutant loading rates in 9VAC25-32-356 Table 2 has been reached."	Replaced reference to 9VAC25-32-356 Table 2 with reference to 9VAC25-32-356 Table 3.	Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments. (2 changes in paragraph).
9VAC25-32-313 D	"D. No person shall apply domestic septage to agricultural land, forest, or a reclamation site during a 365-day period if the annual application rate in 9VAC25-32-356 C has been reached during that period."	Replaced reference to 9VAC25-32-356 C with reference to 9VAC25-32-356 D.	Corrected reference to 9VAC25-32-356 D, due to renumbering sections, oversight in original amendments.
9VAC25-32-313 E	"E. The person who prepares bulk biosolids that is applied to agricultural land, forest, a public contact site, or a reclamation site shall provide the person who applies the bulk biosolids written notification of the concentration of total nitrogen (as N on a dry weight basis) and phosphorus (as N and P on a dry weight basis) in the bulk biosolids."	Revised to delete reference to total nitrogen (as N on a dry weight basis). Revised to read: "E. The person who prepares bulk biosolids that is applied to agricultural land, forest, a public contact site, or a reclamation site shall provide the person who applies the bulk biosolids written notification of the concentration of total nitrogen and phosphorus (as N and P on a dry weight basis) in the bulk biosolids."	Revised to require notification of total nitrogen and phosphorus (as N and P on a dry weight basis) because NMPs may be P based.

9VAC25-32-313 F	General Requirements; where application of biosolids subject to cumulative pollutant loading rates will be applied; references to 9VAC25-32-356 Table 2.	Corrected reference from 9VAC25-32-356 Table 2 to 9VAC25-32-356 Table 3 (2 changes in paragraph).	Revised due to renumbering tables, oversight in original amendments.
9VAC25-32-313 F 1	"1. If bulk biosolids subject to the cumulative pollutant loading rates in 9VAC25-32-356 Table 2 has not been applied to the site since July 20, 1993, the cumulative amount of each pollutant listed in 9VAC25-32-356 Table 2 may be applied to the site in accordance with 9VAC25-32-356 A 2 a."	Revised to correct reference from 9VAC25-32-356 Table 2 to 9VAC25-32-356 Table 3 and revised to correct reference from 9VAC25-32-356 A 2 a to B 2 a.	Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments. Corrected reference to 9VAC25-32-356 B, due to renumbering tables, oversight in original amendments.
9VAC25-32-313 F 2	"2. If bulk biosolids subject to the cumulative pollutant loading rates in 9VAC25-32-356 Table 2 has been applied...to determine the additional amount of each pollutant that can be applied to the site in accordance with 9VAC25-32-356 A 2 a."	Revised to correct reference from 9VAC25-32-356 Table 2 to 9VAC25-32-356 Table 3 and revised to correct reference from 9VAC25-32-356 A 2 a to B 2 a.	Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments. Corrected reference to 9VAC25-32-356 B, due to renumbering tables, oversight in original amendments.
9VAC25-32-313 F 3	"2. If bulk biosolids subject to the cumulative pollutant loading rates in 9VAC25-32-356 Table 2 has been applied...an additional amount of each pollutant shall not be applied to the site in accordance with 9VAC25-32-356 A 2 a."	Revised to correct reference from 9VAC25-32-356 Table 2 to 9VAC25-32-356 Table 3 and revised to correct reference from 9VAC25-32-356 A 2 a to B 2 a.	Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments. Corrected reference to 9VAC25-32-356 B, due to renumbering tables, oversight in original amendments.
9VAC25-32-313 K	"K. Any person who applies bulk biosolids subject to the cumulative pollutant loading rates in 9VAC25-32-356 Table 3 to the land shall provide written notice..."	Revised to correct reference from 9VAC25-32-356 Table 2 to 9VAC25-32-356 Table 3.	Corrected reference to 9VAC25-32-356 Table 3, due to renumbering tables, oversight in original amendments.
9VAC25-32-315 B	"B. Nothing in this part precludes another state agency with responsibility for regulating biosolids or sewage sludge or any political subdivision of Virginia or an interstate	Revised to read: "Nothing in this part precludes the authority of another state agency, political subdivision of Virginia or an interstate agency with respect to the use of biosolids or disposal of sewage sludge."	Statute gives local government specific authority; it cannot be more stringent than this regulation – revised language to clarify.

	agency from imposing requirements for the use of biosolids or disposal of sewage sludge more stringent than the requirements in this part or from imposing additional requirements for the use of biosolids or disposal of sewage sludge."		
9VAC25-32-315 C	"C. For biosolids land application where, because of site specific conditions...the department may incorporate in the permit at the time it is issued reasonable special conditions regarding buffering, transportation routes..."	Replaced "buffering" with "setback distances". Revised to read: "C. For biosolids land application where, because of site specific conditions...the department may incorporate in the permit at the time it is issued reasonable special conditions regarding setback distances, transportation routes..."	Revised to clarify requirements; to avoid confusion with "vegetated buffers" and for consistence within the regulations.
9VAC25-32-317 B	"B. Selection of a use or a disposal practice. This part does not require the selection of a biosolids use or sewage sludge disposal practice. The determination of the manner in which biosolids is used or sewage sludge is disposed is a local determination."	Revised to read: "B. Selection of a use or disposal practice. This part does not dictate the selection of a specific biosolids use or sewage sludge disposal practice by the owner of the wastewater treatment works."	Revised language to clarify requirements. Based on comments received.
9VAC25-32-356	Pollutant limits.	Revised title of section to: "Pollutant monitoring and limits".	Renamed to more accurately describe contents.
9VAC25-32-356 A	"Biosolids."	Moved subsection entitled "biosolids" to a new subsection B.	Moved to account for addition of new materials related to bulk biosolids or biosolids sold or given away in a bag.
9VAC25-32-356 A		Replaced original subsection A materials with: "Bulk biosolids or biosolids sold or given away in a bag or other container shall be monitored for the parameters identified in Table 1 of this section."	Revised to include monitoring parameters that had been excluded.
9VAC25-32-356 A – Table 1		Added new Table 1 – Parameters for Biosolids Analysis with the following pollutants listed: Percent solids (%); Volatile solids (%); pH (standard units); Total Kjeldahl nitrogen (%); Ammonia nitrogen	Table added to include monitoring parameters that had been excluded.

		(%); Nitrates (mg/kg); Total phosphorus (%); Total potassium (%); Alkalinity as CaCO ₃ (mg/kg); Arsenic (mg/kg); Cadmium (MG/kg); Copper (mg/kg); Lead (mg/kg); Mercury (mg/kg); Molybdenum (mg/kg)' Nickel (mg/kg); Selenium (mg/kg); and Zinc (mg/kg) with associated footnotes (1) Values reported on a dry weight basis unless indicated and (2) Lime treated biosolids (10% or more lime by weight) shall be analyzed for percent CaCO ₃ .	
9VAC25-32-356 B	"A. Biosolids."	Revised section number and title to read: "B. Biosolids pollutant limits."	Revised to clarify requirements.
9VAC25-32-356 B 1	"1. Bulk biosolids or biosolids sold or given away in a bag...exceeds the ceiling concentration for the pollutant in Table 1 of this section."	Corrected table reference. Revised to read: "1. Bulk biosolids or biosolids sold or given away in a bag...exceeds the ceiling concentration for the pollutant in Table 2 of this section."	Corrected reference to Table 2 due additions of a new table and to renumbering of existing tables.
9VAC25-32-356 B 2 a	"a. The cumulative loading rate for each pollutant shall not exceed the cumulative pollutant loading rate for the pollutant in Table 2 of this section; or"	Corrected table reference. Revised to read: "a. The cumulative loading rate for each pollutant shall not exceed the cumulative pollutant loading rate for the pollutant in Table 3 of this section; or"	Corrected reference to Table 3 due additions of a new table and to renumbering of existing tables.
9VAC25-32-356 B 2 b	"b. The concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 3 of this section."	Corrected table reference. Revised to read: "b. The concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 4 of this section."	Corrected reference to Table 4 due additions of a new table and to renumbering of existing tables.
9VAC25-32-356 B 3	"3. If bulk biosolids is applied to a lawn or a home garden, the concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 3 of this section."	Corrected table reference. Revised to read: "3. If bulk biosolids is applied to a lawn or a home garden, the concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 4 of this section."	Corrected reference to Table 4 due additions of a new table and to renumbering of existing tables.
9VAC25-32-356 B 4 a	"a. The concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 3 of this section; or"	Corrected table reference. Revised to read: "a. The concentration of each pollutant in the biosolids shall not exceed the concentration for the pollutant in Table 4 of this section; or"	Corrected reference to Table 4 due additions of a new table and to renumbering of existing tables.

9VAC25-32-356 B 4 b	"b. The product of the concentration of each pollutant in the biosolids and the annual whole sludge application rate for the biosolids shall not cause the annual pollutant loading rate for the pollutant in Table 4 of this section to be exceeded..."	Corrected table reference. Revised to read: "b. The product of the concentration of each pollutant in the biosolids and the annual whole sludge application rate for the biosolids shall not cause the annual pollutant loading rate for the pollutant in Table 5 of this section to be exceeded..."	Corrected reference to Table 5 due additions of a new table and to renumbering of existing tables.
9VAC25-32-356 C	9VAC25-32-356 B. Pollutant concentrations and loading rates – biosolids.	Revised subsection number to 9VAC25-32-356 C.	Revised to account for the addition of new subsection.
9VAC25-32-356 C – Table 2	9VAC25-32-356 B - Table 1.	Renumbered to 9VAC25-32-356 C - Table 2.	Corrected Table number due to addition of a new table.
9VAC25-32-356 C – Table 2 Foot note (1)	" ⁽¹⁾ Biosolids with a molybdenum concentration greater than 40 mg/kg shall not be applied to land used for livestock grazing."	Deleted footnote and associated footnote reference.	Based on comments received.
9VAC25-32-356 C – Table 3	9VAC25-32-356 B - Table 2.	Renumbered to 9VAC25-32-356 C – Table3.	Corrected Table number due to addition of a new table.
9VAC25-32-356 C – Table 3 – Footnote (2)	" ⁽²⁾ The maximum cumulative application is currently under study by USEPA."	Added to footnote (2) regarding Molybdenum research. Revised to read: " ⁽²⁾ The maximum cumulative application is currently under study by USEPA. Research suggests that for Molybdenum a cumulative pollutant loading rate below 40 kg/hectare may be appropriate to reduce the risk of copper deficiency in grazing animals."	Based on comments received.
9VAC25-32-356 C – Table 4	9VAC25-32-356 B - Table 3.	Renumbered to 9VAC25-32-356 C - Table 4.	Corrected Table number due to addition of a new table.
9VAC25-32-356 C – Table 4 – Footnote (1)	" ⁽¹⁾ The monthly average concentration is currently under study by USEPA."	Added to footnote (1) information about Molybdenum research. Revised to read: " ⁽¹⁾ The monthly average concentration is currently under study by USEPA. Research suggests that a monthly average Molybdenum concentration below 40 mg/kg may be appropriate to reduce the risk of copper deficiency in grazing animals."	Based on comments received.
9VAC25-32-356 C – Table 5	9VAC25-32-356 B - Table 4.	Renumbered to 9VAC25-32-356 C - Table 5.	Corrected Table number due to addition of a new table.

9VAC25-32-356 D	"C. Procedures to determine the annual whole sludge application rate for biosolids. Subdivision A 4 b of this section...the annual pollutant loading rate in Table 4 to be exceeded...the annual pollutant loading rates (APLR) in Table 4 of this section to be exceeded."	Renumbered subsection from "C" to "D"; revised subdivision reference from A 4 b to B 4 b and revised table reference from "Table 4" to "Table 5" (2 times in subsection).	Corrected subsection numbering due to addition of new subsection and corrected Table references to account for the addition of a new table.
9VAC25-32-356 D 3 b	"b. Using the pollutant concentrations from subdivision 3 a of this subsection and the APLRs from Table 4 of this section..."	Revised table reference. Subdivision now reads: "b. Using the pollutant concentrations from subdivision 3 a of this subsection and the APLRs from Table 5 of this section..."	Corrected Table references to account for the addition of a new table.
9VAC25-32-358 A 1	"1. The frequency of monitoring for the pollutants listed in Tables 1 through 4 of 9VAC25-32-356..."	Corrected table references. Revised to read: "1. The frequency of monitoring for the pollutants listed in Tables 1 through 5 of 9VAC25-32-356..."	Corrected Table references to account for the addition of a new table in section.
9VAC25-32-358 A 2	"2. After the biosolids has been monitored for two years at the frequency in Table 1 of this section, the board may reduce the frequency of monitoring for pollutant concentrations and for the pathogen density requirements in 9VAC25-32-675 A 5 b and c. In no case shall the frequency be reduced to less than once per year in any year that biosolids are applied to land."	Delete last sentence/condition. Revised to read: "2. After the biosolids has been monitored for two years at the frequency in Table 1 of this section, the board may reduce the frequency of monitoring for pollutant concentrations and for the pathogen density requirements in 9VAC25-32-675 A 5 b and c."	Statement removed for consistency – the decision would be made by DEQ.
9VAC25-32-359 A 1	"1. If the pollutant concentrations in Table 3 of 9VAC25-32-356..."	Corrected table reference. Revised to refer to Table 4: "1. If the pollutant concentrations in Table 4 of 9VAC25-32-356..."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-359 A 1 a (1)	"(1) The concentration of each pollutant listed in Table 3 of 9VAC25-32-356..."	Corrected table reference. Revised to refer to Table 4: "(1) The concentration of each pollutant listed in Table 4 of 9VAC25-32-356..."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-359 A 2	"2. If the pollutant concentrations in 9VAC25-32-356 Table 3..."	Corrected table reference. Revised to refer to Table 4: "2. If the pollutant concentrations in 9VAC25-32-356 Table 4..."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-359 A 2 a (1)	"(1) The concentration of each pollutant listed in Table 3 of 9VAC25-32-	Corrected table reference. Revised to refer to Table 4: "(1) The concentration of each	Corrected Table reference to account for the addition of a new

	356..."	pollutant listed in Table 4 of 9VAC25-32-356..."	table in section.
9VAC25-32-359 A 3	"3. If the requirements in 9VAC25-32-356 A 2 are met..."	Corrected subdivision reference. Revised to read: "3. If the requirements in 9VAC25-32-356 B 2 are met..."	Corrected subdivision reference to account for the addition of a new subsection.
9VAC25-32-359 A 3 a (1)	"(1) The concentration of each pollutant listed in Table 1 of 9VAC25-32-356..."	Corrected table reference. Revised to refer to Table 2: "(1) The concentration of each pollutant listed in Table 2 of 9VAC25-32-356..."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-359 A 3 b (4)	"(4) The cumulative amount of each pollutant (i.e., kilograms) listed in Table 2 of 9VAC25-32-356..."	Corrected table reference. Revised to refer to Table 3: "(4) The cumulative amount of each pollutant (i.e., kilograms) listed in Table 3 of 9VAC25-32-356..."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-359 A 3 b (5)	"(5) The amount of biosolids (i.e., metric tons) applied to each site;"	Revised to say "dry metric tons": "(5) The amount of biosolids (i.e., dry metric tons) applied to each site;"	Revised to say dry metric tons. Based on comments received.
9VAC25-32-359 B 4	"4. The nitrogen requirement for the crop or vegetation grown on each site during the 365-day period;"	Revised to added "phosphorus". Revised to read: "4. The nitrogen and phosphorus requirement for the crop or vegetation grown on each site during the 365-day period;"	Added phosphorus to the requirement because NMPs may be P based.
9VAC25-32-360 A	"A. An activity report shall be submitted (electronically or postmarked) to the department by the 15 th day of the month unless another date is specified in the permit in accordance with 9VAC25-32-80 I 4 following any month in which land application occurs. The report shall indicate those sites where land application activities took place during the previous month."	Revised to read: "A. An activity report shall be submitted (electronically or postmarked) to the department by the 15 th day of each month for land application activity that occurred in the previous calendar month unless another date is specified in the permit in accordance with 9VAC25-32-80 I 4. The report shall indicate those sites where land application activities took place during the previous month. If no land application occurs under a permit during the calendar month, a report shall be submitted stating that no land application occurred."	Revised to be consistent with changes made in the Fee Regulation.
9VAC25-32-360 B 2	"2. The information in 9VAC25-32-359 A 3 b (1) through (7) when 90% or more of any of the cumulative pollutant loading rates in Table 2 of 9VAC25-32-356 is reached at a land application site."	Revised to correct Table number reference from Table 2 to "Table 3". Revised to read: "2. The information in 9VAC25-32-359 A 3 b (1) through (7) when 90% or more of any of the cumulative pollutant loading rates in Table 3 of 9VAC25-32-356 is reached at a land application site."	Corrected Table reference to account for the addition of a new table in section.
9VAC25-32-	"C. Biosolids application	Delete requirement and replace	Based on comments

360 C	rates shall be calculated using the results from sampling and analysis completed during the most recent 12 months of monitoring. For proposed treatment works, rates may be initially based on the biosolids characteristics produced by similar generating facilities."	with language of 9VAC25-32-360 D.	received.
9VAC25-32-360 C	9VAC25-32-360 D: "Reports shall be maintained documenting the required treatment and quality characteristics and the maximum allowable land application loading rates..."	Renumbered 9VAC25-32-360 D to 9VAC25-32-360 C.	Renumbered to account for deletion of previous subdivision.
9VAC25-32-360 D	9VAC25-32-360 E: The generator and owner shall maintain the records for a minimum of five years..."	Renumbered 9VAC25-32-360 E to 9VAC25-32-360 D.	Renumbered to account for deletion of previous subdivision.
9VAC25-32-400 A	"A. The department may require that additional site specific monitoring be performed...Such requirements may occur in situations in which ground water contamination...Additional monitoring may include, but is not limited to, ground water, surface water..."	Replaced "ground water" with "groundwater" (2 times in subsection).	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32-400 D	"D. The department may require biosolids to be tested for certain toxic organic compounds prior to agricultural use (Table 1 of 9VAC25-32-570)..."	Delete reference to Table 1. Revised to read: "D. The department may require biosolids to be tested for certain toxic organic compounds prior to agricultural use."	Revised based on comments received.
9VAC25-32-400 E	"E. Additional parameters may be required for screening purposes such as aluminum (mg/kg), water soluble boron (mg/kg)..."	Revised to replace "soluble" with "soluble". Revised to read: "E. Additional parameters may be required for screening purposes such as aluminum (mg/kg), water soluble boron (mg/kg)..."	Grammatical correction.
9VAC25-32-400 F	"F. Microbiological testing may be necessary to document the sludge treatment classification (9VAC25-32-675). Microbiological standards shall be verified by the log	Corrected reference to seven samples instead of nine. Revised to read: "F. Microbiological testing may be necessary to document the sludge treatment classification (9VAC25-32-675).	Corrected to collect seven representative samples to be consistent with VPDES and 503 based on comment.

	mean of the analytical results from testing of nine or more samples of the sludge source..."	Microbiological standards shall be verified by the log mean of the analytical results from testing of seven or more samples of the sludge source..."	
9VAC25-32-410	Operations management plan.	Revised title of section to: "Biosolids management plan."	Revised based on comments received; confusing with the term operations and maintenance Manual.
9VAC25-32-410 A	"A. The permit holder shall maintain an operations management plan that shall consist of three components:"	Revised to read: "A. The permit holder shall maintain and implement a Biosolids Management Plan that shall consist of three components:"	Revised based on comments received; confusing with the term operations and maintenance Manual. Clarified that biosolids management plant shall be maintained and implemented.
9VAC25-32-410 A 2	"2. Nutrient management plan for each site in accordance with 9VAC25-32-560; and"	Revised to read: "2. Nutrient management plan developed for each site prior to biosolids application; and"	Clarified language and removed reference to 9VAC25-32-560 because NMP requirements in 560 were all moved to 410 C. to consolidate to one location.
9VAC25-32-410 B	"B. The O&M manual shall include at a minimum:"	Moved the original language from "B" to a new subdivision "D".	Moved to accommodate the insertion of new requirements.
9VAC25-32-410 B		Added new language: "B. The biosolids management plan and all of its components shall be incorporated as an enforceable part of the permit."	Added based on comments from DEQ Enforcement Division.
9VAC25-32-410 C		Added new language: "C. Nutrient management plan:"	NMP requirements in 560 were all moved to 410 C. to consolidate to one location. To clarify requirements for nutrient management plans as they relate to biosolids applications. - Based on comments received.
9VAC25-32-410 C 1		Added new language: "1. A nutrient management plan approved by the Department of Conservation and Recreation shall be required for application sites prior to board authorization under specific conditions, including but not limited to:"	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-		Added new language: "a. sites	Language moved from

410 C 1 a		operated by an owner or lessee of a confined animal feeding operation, as defined in subsection A of § 62.1-44.17:1 of the Code of Virginia, or confined poultry feeding operation, as defined in subsection A of § 62.1-44.17:1.1 of the Code of Virginia;"	9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 1 b		Added new language: "b. sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed;"	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 1 c		Added new language: "c. mined or disturbed land sites where land application is proposed at greater than agronomic rates; and"	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 1 d		Added new language: "d. other sites based on site-specific conditions that increase the risk that land application may adversely impact state waters;"	New language added to be consistent with other sections of the regulations.
9VAC25-32-410 C 1 e		Added new language: "e. Where conditions at the land application site change so that it meets one or more of the specific conditions identified in this section, an approved nutrient management plan shall be submitted prior to any future land application at the site."	New language added to clarify that approved NMP is needed anytime these conditions exist.
9VAC25-32-410 C 2		Added new language: "2. The nutrient management plan shall be available for review by the department at the land application site during biosolids land application."	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 3		Added new language: "3. Within 30 days after land application at the site has commenced, the permit holder shall provide a copy of the nutrient management	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560

		plan to the farm operator of the site, the Department of Conservation and Recreation and the chief executive officer or designee for the local government, unless they request in writing not to receive the nutrient management plan."	were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 4		Added new language: "4. The nutrient management plan must be approved by the Department of Conservation and Recreation prior to land application for application sites where the soil test phosphorus levels exceed the values in Table 1 of this section. For purposes of approval, permittees should submit the nutrient management plan to the Department of Conservation and Recreation at least 30 days prior to the anticipated date of land application to ensure adequate time for the approval process."	Language moved from 9VAC25-32-560 A 1 and expanded upon to clarify requirements - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 C 4 - Table 1		Added new table: "Table 1 - Soil Phosphorus Levels Requiring NMP Approval" Table contains soil phosphorus levels based on the VPI & SU Test (Mehlich I) for the Eastern Shore and Lower Coastal Plain Regions (135 ppm); the Middle and Upper Coastal Plain and Piedmont Regions (136 ppm); and the Ridge and Valley Regions (162 ppm). The table also includes a footnote that specifies that: "If results are from another laboratory, the Department of Conservation and Recreation approved conversion factors must be used.	Table moved from 9VAC25-32-560 A 1 - NMP requirements in 560 were all moved to 410 C. to consolidate to one location. - Based on comments received.
9VAC25-32-410 D	"9VAC25-32-410 B. The O&M manual shall include at a minimum:"	Moved the original language from "B" to a new subdivision "D". Subdivision now reads: "D. The O&M manual shall include at a minimum:"	Moved to accommodate the insertion of new requirements.
9VAC25-32-460 A	"A. Soil shall be sampled and analyzed prior to biosolids application to determine site suitability and to provide background data. Soil shall be sampled and analyzed in accordance	Revised to read: "A. Soil shall be sampled and analyzed prior to biosolids. No sample analysis used to determine application rates shall be more than 3 years old at the time of biosolids land application. Soil shall be sampled and analyzed in	Revised to clarify requirements and because Table 1 was restructured to eliminate application methods. Based on comments received and to clarify that soil samples were to

	with Table 1 of this section. Reduced monitoring may apply for typical agricultural utilization projects where biosolids are applied to farmland at or below agronomic rates or on an infrequent basis (see Table 1)..."	accordance with Table 1 of this section..."	be no more than 3 years old.
9VAC25-32-460 A - Table 1	Table 1 - Soil Test Parameters for Land Application Sites	<p>Deleted Table 1 categories and listed the parameters that are required for all application rates.</p> <p>Also deleted the use of the category for "supernatant."</p> <p>Deleted the nitrate from the list of parameters.</p> <p>Deleted hydraulic conductivity from the list of parameters.</p> <p>Renumbered the original footnotes.</p> <p>Deleted original footnotes 2; 3; and 4.</p> <p>Renumbered original footnote 5 to footnote 2 and deleted the Bray method.</p> <p>Renumbered footnote 6 to footnote 3.</p> <p>Table 1 Soil Test Parameters for Land Application Sites¹ now includes the following parameters: Soil ph (Std. Units); Available phosphorus (ppm)²; Extractable potassium (ppm); Extractable sodium (mg/100g)³; Extractable calcium (mg/100g); Extractable magnesium (mg/100g); Zinc (ppm); and Manganese (ppm) with the associated footnotes: ¹Note: Unless otherwise stated, analyses shall be reported on a dry weight basis; ²Available P shall be analyzed using one of the following methods: Mehlich I or Mehlich III; ³Extractable sodium shall be analyzed only where biosolids known to be</p>	<p>Supernatant is not related to soil and is considered a biosolids and follows monitoring parameters.</p> <p>Nitrate is not a parameter typically monitored in the soil.</p> <p>Hydraulic conductivity is a parameter associated with supernatant only.</p> <p>Footnotes deleted and or renumbered due to deletions in the table.</p>

		high in sodium will be land applied.	
9VAC25-32-480	"Ground water monitoring and reporting.	Revised to read: "Groundwater monitoring and reporting."	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32-480 A	"A. Monitoring wells may be required by the board for land treatment sites, sludge lagoons, or biosolids land application sites, or biosolids storage facilities to monitor ground water quality."	Revised to replace "ground water" with "groundwater". Revised to read: "A. Monitoring wells may be required by the board for land treatment sites, sludge lagoons, or biosolids land application sites, or biosolids storage facilities to monitor groundwater quality."	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32-480 B	"B. If ground water monitoring is required, a ground water monitoring plan shall be submitted to the department for approval that includes at a minimum:"	Revised to replace "ground water" with "groundwater" (2 times in subsection). Revised to read: "B. If groundwater monitoring is required, a groundwater monitoring plan shall be submitted to the department for approval that includes at a minimum:"	Revised to be consistent with VPDES and in accordance with USGS Office of Groundwater Technical Memorandum dated March 26, 2009.
9VAC25-32-490	"Guidelines set forth in 9VAC25-32-500 through 9VAC25-32-660 of this regulation specify minimum standards for biosolids use for land application..."	Revise section references. Revised to read: "Guidelines set forth in 9VAC25-32-515 through 9VAC25-32-580 of this regulation specify minimum standards for biosolids use for land application..."	Added section to regulatory action as a result of other changes in the regulations that required clarification of this section. Section references revised due to repealing 9VAC25-32-500 and to provide clarification of pertinent sections of the regulations specifying the minimum standards for biosolids use for land application.
9VAC25-32-490	"Guidelines set forth...However, the board may impose standards and requirements that are more stringent than those contained in this regulation when required to protect public health or prevent nuisance conditions from developing either within critical areas, or when special conditions develop	Deleted language and inserted specific section references. Revised to read: "Guidelines set forth...However, the board may impose standards and requirements that are more stringent than those contained in this regulation according to the provisions of 9VAC25-32-100 E, 9VAC25-32-315, and 9VAC25-32-560 B 3...Conformance to local land use..."	Revised to be consistent with changes made in the regulations and to clarify requirements

	prior to or during biosolids use operations...Conformance to local land use..."		
9VAC25-32-490	"...Justification for biosolid use proposals..."	Replace "biosolids" with "biosolids".	Revised to use consistent terminology throughout the regulations.
9VAC25-32-500	"Biosolids management.	Repeal section.	All components of biosolids management are covered more clearly in 9VAC25-32-410. Revised to eliminate redundancy and to clarify the requirements.
9VAC25-32-515 A 1	"1. At least 100 days prior to commencing land application of biosolids at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the chief executive officer or designee for the local government where the site is located..."	Added the phrase "the first". Revised to read: "1. At least 100 days prior to commencing the first land application of biosolids at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the chief executive officer or designee for the local government where the site is located..."	Added language to clarify that this is a one-time notification.
9VAC25-32-515 A 1	"...This requirement may be satisfied by providing a list of available permitted sites in the locality at least 100 days prior to commencing the application at any site on the list..."	Added language. Revised to read: "...This requirement may be satisfied by the department's notice to the local government at the time of receiving the permit application if all necessary information is included in the notice or by providing a list of available permitted sites in the locality at least 100 days prior to commencing the application at any site on the list..."	This addition was based on TAC discussions and comments received and may provide longer notice since the permit processing time may be up to 180 days.
9VAC25-32-515 A 2	"2. At least 14 days prior to commencing land application of biosolids at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the department and the chief executive officer or designee for the local government where the site is located."	Added language. Revised to read: "2. At least 14 days prior to commencing land application of biosolids at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the department and the chief executive officer or designee for the local government where the site is located unless they request in writing not to receive the notice. The notice shall identify the location of the permitted site and the expected sources of the biosolids to be applied to the site."	Based on TAC discussions.

9VAC25-32-515 A 2	"...The notice shall include the following..."	Deleted requirements and returned to statutory language. Moved the requirements to a new requirement for 5-day signage notice.	Based on TAC discussions and comments received.
9VAC25-32-515 A 3	"3. The permittee shall deliver or cause to be delivered daily notification to the department and the chief executive officer of designee for the local government where the site is located prior to commencing planned land application activities."	Revised to read: "3. Not more than 24 hours prior to commencing land application activities, including delivery of biosolids to a permitted site, the permittee shall notify in writing the department and the chief executive officer or designee for the local government where the site is located, unless they request in writing not to receive the notice. This notification shall include identification of the biosolids source and shall include only sites where land application activities will commence within 24 hours or where biosolids will be staged within 24 hours."	Revised to clarify requirements. Revisions based on comments received and on TAC discussions.
9VAC25-32-515 B 1 a		Added new requirement as item "a". New language reads: "a. A sign shall be posted at or near the intersection of the public right-of-way and the main site access road or driveway to the site used by biosolids transport vehicles."	Based on comments received.
9VAC25-32-515 B 1 a	"a. If the site is located adjacent to a public right-of-way, signs shall be posted along each road frontage beside the field to be land applied."	Renumbered and revised to read: "b. If the field is located adjacent to a public right-of-way, at least one sign shall be posted along each public road frontage beside the field to be land applied."	Renumbered based on addition of new requirement and revised based on comments received.
9VAC25-32-515 B 1 b	"b. If the site is not located adjacent to a public right-of-way, the sign shall be posted at or near the intersection of the public right-of-way and the main site access road or driveway to the site."	Deleted subdivision. Replaced with new item "b".	Based on comments received.
9VAC25-32-515 B 1 c	"c. The department may grant a waiver to the requirements in this section, or require alternative posting options due to extenuating circumstances or to be consistent with local	Revised to read: "c. The department may grant a waiver to the requirements in this section, or require alternative posting options due to extenuating circumstances or where requirements conflict with local government ordinances	Revised based on comments received.

	government ordinances and other requirements regulating the use of signs."	and other requirements regulating the use of signs."	
9VAC25-32-515 B 2		Added new requirement: "2. Upon the posting of signs at a land application site prior to commencing land application, the permittee shall deliver or cause to be delivered written notification to the department and the chief executive officer or designee for the local government where the site is located, unless they request in writing not to receive the notice. Notification shall be delivered to the department within 24 hours of the posting of signs. The notice shall include the following: a. The name and telephone number of the permit holder, including the name of a representative knowledgeable of the permit; b. Identification by tax map number and the DEQ control number for sites on which land application is to take place; c. The name or title and telephone number of at least one individual designated by the permit holder to respond to questions and complaints related to the land application project, if not the permit holder identified in 9VAC25-32-515 B 2 a; d. The approximate dates on which land application is to begin and end at the site; and e. The name, address and telephone number of the wastewater treatment facility, or facilities, from which the biosolids will originate, including the name or title of a representative of the treatment facility that is knowledgeable about the land application operation."	Language moved from the 14 day notification requirements and revised based on comments received.
9VAC25-32-515 B 3	9VAC25-32-515 B 2	Renumbered subdivision to "B 3".	Renumbered due to inserting additional subdivision.
9VAC25-32-515 B 3 b	"b. The name and telephone number of the permit holder and the	Subdivision revised and broken into multiple subdivisions. Subdivision b now reads: "b. The	Revised to clarify requirements.

	name or title and telephone number of an individual designated by the permit holder to respond to complaints and inquiries; and"	name of the permit holder;	
9VAC25-32-515 B 3 c	"b. The name and telephone number of the permit holder and the name or title and telephone number of an individual designated by the permit holder to respond to complaints and inquiries; and"	New subdivision c reads: "c. The telephone number of an individual designated by the permit holder to respond to complaints and inquiries; and"	Revised to clarify requirements.
9VAC25-32-515 B 3 d	"c. Contact information for the department, including a telephone number for complaints and inquiries."	Renumbered to subdivision "d".	Renumbered to account for the insertion of a new subdivision number.
9VAC25-32-515 B 4	"B 3"	Renumbered to subdivision "B 4".	Renumbered to account for the insertion of a new subdivision.
9VAC25-32-530 B 2	"2. A written agreement shall be established between the landowner and permit applicant or permit holder, whereby the landowner shall consent to apply biosolids on his property and certify that no concurrent agreements exist for the fields to be permitted. The landowner agreement shall include an acknowledgement by the landowner of any site restrictions identified in the permit. The responsibility for obtaining and maintaining the agreements lies with the permit holder. The written agreement shall be submitted to the department with the permit application."	Revised to read: "2. A written agreement shall be established between the landowner and permit applicant or permit holder, to be submitted with the permit application, whereby the landowner shall consent to apply biosolids on his property. The landowner agreement shall include:"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (a)		Added new requirement: "(a) A statement certifying that the landowner is the sole owner or one of multiple owners of the property or properties identified on the landowner agreement;"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (b)		Added new requirement: "(b) A statement certifying that no concurrent agreements are in	Revisions based on comments received and on SWCB request.

		effect for the fields to be permitted for biosolids application;"	
9VAC25-32-530 B 2 (c)		Added new requirement: "(c) An acknowledgement that the landowner shall notify the permittee when land is sold or ownership is transferred;"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (d)		Added new requirement: "(d) An acknowledgement that the landowner shall notify the permittee if any conditions changes such that any component of the landowner agreement becomes invalid;"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (e)		Added new requirement: "(e)Permission to allow department staff on the landowner's property to conduct inspections;,"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (f)		Added new requirement: "(f) An acknowledgement by the landowner of any site restrictions identified in the regulation; and"	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 2 (g)		Added new requirement: "(g) An acknowledgement that the landowner has received a biosolids fact sheet approved by the department."	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 3	"3. New landowner agreements shall be submitted to the department with each application for issuance or reissuance of a permit or the modification to add land to an existing permit that authorizes the land application of biosolids."	Revised to read: "3. New landowner agreements, using the most current form provided by the board, shall be submitted to the department for proposed land application sites identified in each application for issuance or reissuance of a permit or the modification to add land to an existing permit that authorizes the land application of biosolids."	Revisions based on comments received and on SWCB request.
9VAC25-32-530 B 4		Added new subdivision B 4: "For permits modified in order to incorporate changes to this regulation, the permit holder shall, within 60 days of the effective date of the permit modification, advise the landowner by registered letter of the requirement to provide a new landowner agreement. The letter shall include instructions to the landowner for signing and returning the new landowner agreement, and shall advise the landowner that the permit	Revisions based on comments received and on SWCB request.

		holder's receipt of such new landowner agreement is required prior to application of biosolids to the landowner's property."	
9VAC25-32-530 B 5	Part of 9VAC25-32-530 B 2: "The responsibility for obtaining and maintaining the agreements lies with the permit holder. The written agreement shall be submitted to the department with the permit application."	Renumbered and included as new 9VAC25-32-530 B 5.	Reorganized to clarify requirements.
9VAC25-32-540 A	Transport. "A. Transport routes should follow primary highways...The minimum information for biosolids transport that shall be supplied in the biosolids operations management plan is listed in 9VAC25-32-60 F."	Revised to delete the term "operations". Revised to read: "A. Transport routes should follow primary highways...The minimum information for biosolids transport that shall be supplied in the biosolids management plan is listed in 9VAC25-32-60 F."	Revised based on comments received; confusing with the term operations and maintenance Manual.
9VAC25-32-540 D	"D. The permit holder shall promptly report offsite spills to the Virginia Department of Environmental Quality, the chief..."	Replaced "Virginia Department of Environmental Quality" with "department". Revised to read: "D. The permit holder shall promptly report offsite spills to the department, the chief..."	Revised to use consistent terminology throughout the regulations. Based on discussions with the AG's Office.
9VAC25-32-545 A	"A. Staging of biosolids shall not commence unless the field meets the requirements for land application.	Deleted statement and replaced with a description of staging. Revised to read: "A. Staging is the placement of biosolids on a permitted land application field, within the land application area, in preparation for commencing land application or during an ongoing application, at the field or an adjacent permitted field. Staging is not considered storage and shall not take the place of storage."	Based on comments received. Needed to provide a definition of staging.
9VAC25-32-545 B 1	"1. Biosolids that have been staged for greater than seven days shall be spread as soon as field conditions become favorable for land application or removed from the field;"	Requirement reworded and moved to "B 2". New language added to "B 1". "1. Staging of biosolids shall not commence unless the field meets the requirements for land application in accordance with Part IX of this regulation and field conditions are favorable for land application."	This statement was moved from original Subsection A and reworded to clarify the requirements.
9VAC25-32-545 B 2	"2. No liner or cover is required under or over staged biosolids if spread within 14 days;"	Requirement deleted. Replaced with reworded requirement from original "B 1". Subdivision now reads: "2. Biosolids may be staged for up to seven days from	Deleted language since it was not necessary due to changes in staging requirements.

		the first day biosolids are offloaded onto the staging area, with the following exceptions: a. In areas of Karst topography, biosolids offloaded at a permitted land application field shall be land applied by the end of the business day. b. In areas identified in the USDA soil survey as frequently flooded, biosolids offloaded at a permitted land application field shall be land applied by the end of the business day. c. Biosolids shall not be staged overnight on sites that have on-site storage."	Requirements moved from B 11; B 10; and B 13 to better organize and reworded to clarify requirements.
9VAC25-32-545 B 3	"3. Staged biosolids that cannot be spread within 14 days shall be covered to prevent contact with precipitation;"	Revised to read: "3. If staged biosolids cannot be spread by the end of the seventh day of staging, the permittee shall take the following actions:"	Reworded based on comments received that 14 days was too long. Seven days is adequate considering that currently biosolids cannot be staged overnight except in emergency situations.
9VAC25-32-545 B 3 a		Added new language: "a. Biosolids shall be covered to prevent contact with precipitation;"	This language was broken out from subdivision "B 3".
9VAC25-32-545 B 3 b		Added new language: "b. The permittee shall notify the department within 24-hours. Notification shall include the biosolids source or sources and amounts, location of the site and reason for staging biosolids longer than seven days;"	To clarify requirements.
9VAC25-32-545 B 3 c		Added new language: "c. Biosolids which have been staged for greater than seven days shall be spread or removed from the field as soon as field conditions become favorable for land application."	To clarify requirements.
9VAC25-32-545 B 4	9VAC25-32-545 B 5	Subdivision renumbered to "B 4".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-545 B 5	9VAC25-32-545 B 6	Subdivision renumbered to "B 5".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-545 B 6	9VAC25-32-545 B 5	Subdivision renumbered to "B 6".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-	"Biosolids shall not be	Replaced "buffer zone" with	To be consistent with

545 B 6	staged in the buffer zones;"	"setback areas". Revised to read: "Biosolids shall not be staged in the setback areas;"	terminology used in the regulations.
9VAC25-32-545 B 7		Added new requirement: "7. Biosolids shall not be staged overnight within 400 feet of an occupied dwelling unless reduced or waived through written consent of the occupant and landowner."	New language added based on new setback requirements and the potential for complaints regarding staged biosolids.
9VAC25-32-545 B 8		Added new requirement: "8. Biosolids shall not be staged overnight within 200 feet of a property line unless reduced or waived through written consent of the landowner."	New language added based on new setback requirements and the potential for complaints regarding staged biosolids.
9VAC25-32-545 B 9	9VAC25-32-545 B 8	Subdivision renumbered to "B 9".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-545 B 9	"Management practices, as described in the operations manual, shall be utilized as appropriate to prevent pollution of state waters by staged biosolids."	Deleted the term "operations". Language revised to read: "Management practices, as described in the biosolids management plan, shall be utilized as appropriate to prevent pollution of state waters by staged biosolids."	Revised to be consistent with terminology used throughout the regulations.
9VAC25-32-545 B 10	9VAC25-32-545 B 9	Renumbered to "B 10".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-545 B 10	"Staged biosolids are to be inspected by the certified land applier at least every seven days and after precipitation events of 0.1 inches or greater to ensure that runoff controls are in good working order. Observed excessive slumping, erosion, or movement of biosolids is to be corrected within 24 hours. Any ponding or malodor at the site is to be corrected. The certified land applier shall maintain documentation of the inspections of staged biosolids;"	Revised to read: "Staged biosolids are to be inspected by the certified land applier daily. After precipitation events of 0.1 inches or greater inspections shall ensure that runoff controls are in good working order. Observed excessive slumping, erosion, or movement of biosolids is to be corrected within 24 hours. Any ponding at the site is to be corrected and any malodor shall be addressed in accordance with the odor control plan. The certified land applier shall maintain documentation of the inspections of staged biosolids; and"	Reworded to clarify requirements.
9VAC25-32-545 B 10	"Staging shall be prohibited in areas identified in the USDA soil survey as frequently flooded;	Moved requirement to 9VAC25-32-545 B 2 a.	Reorganized to clarify requirements.

9VAC25-32-545 B 11	"No staging shall take place in areas of karst topography;"	Moved requirement to 9VAC25-32-545 B 2 b.	Reorganized to clarify requirements.
9VAC25-32-545 B 11	9VAC25-32-545 B 12	Renumbered to "B 11".	Renumbered due to moving and addition of subdivisions.
9VAC25-32-545 B 11	"Staged biosolids shall be managed so as to prevent adverse impacts to water quality or public health; and"	Revised to read: "Staged biosolids shall be managed so as to prevent adverse impacts to water quality or public health."	Revised due to deletion of subdivisions.
9VAC25-32-545 B 13	"Biosolids shall not be staged on sites that have on-site storage.	Moved requirement to 9VAC25-32-545 B 2 c.	Reorganized to clarify requirements.
9VAC25-32-550 B	"B. Two types of storage may be integrated into a complete biosolids operations management plan:"	Deleted the term "operations". Revised to read: "B. Two types of storage may be integrated into a complete biosolids management plan:"	Revised to be consistent with terminology used throughout the regulations.
9VAC25-32-550 C		New requirement added: "C. All on-site storage facilities shall comply with the requirements of this section by [12 months from the effective date of this regulation]."	This language was added based on TAC discussions requesting clarification of what facilities are included in the regulations.
9VAC25-32-550 D	9VAC25-32-550 C	Renumbered to 9VAC25-32-550 D.	Renumbered due to addition of new subdivision.
9VAC25-32-550 D	"On-site storage. On-site storage is the short-term storage of biosolids within a site approved for land application on a constructed surface at a location preapproved by the department..."	Revised to read: "On-site storage. On-site storage is the short-term storage of biosolids on a constructed surface within a site approved for land application at a location preapproved by the department..."	Reworded to clarify requirements.
9VAC25-32-550 D 6	"6. Biosolids storage shall be located to provide minimum visibility;"	Revised to read: "6. Biosolids storage shall be located to provide minimum visibility from adjacent properties;"	Revised to clarify requirements. Based on discussions with the AG's Office.
9VAC25-32-550 D 8	"8. Stored biosolids are to be inspected...Any ponding or malodor at the site is to be corrected..."	Revised to say "at the storage site". Revised to read: "8. Stored biosolids are to be inspected...Any ponding or malodor at the storage site is to be corrected..."	Based on comments received.
9VAC25-32-550 D 9	"9. The department may prohibit or require additional restrictions for on-site storage in areas of karst topography and environmentally sensitive sites;"	Revised to capitalize "Karst". Revised to read: "9. The department may prohibit or require additional restrictions for on-site storage in areas of Karst topography and environmentally sensitive sites;"	Grammatical correction. Based on discussions with the AG's Office.
9VAC25-32-550 D 10	"Biosolids shall not be stockpiled on sites that	Requirement deleted.	Deleted redundant statement.

	have on-site storage; and"		
9VAC25-32-550 D 10	9VAC25-32-550 D 11	Renumbered to 9VAC25-32-550 D 10.	Renumbered due to deletion of subdivision.
9VAC25-32-550 D 10	"Biosolids shall not result in water quality, public health or nuisance problems."	Revised to read: "Storage of biosolids shall be managed so as to prevent adverse impacts to water quality or public health."	Revised to clarify requirements.
9VAC25-32-550 E	9VAC25-32-550 D	Renumbered to 9VAC25-32-550 E.	Renumbered due to addition of subdivision.
9VAC25-32-550 E	"Routine storage. Routine storage is the long-term storage of biosolids at a facility preapproved by the department and constructed specifically for the storage of biosolids to be applied at any site included in permits held by the permit holder of the storage facility. Routine storage facilities..."	Revised to read: "Routine storage. Routine storage is the long-term storage of biosolids at a facility not located at the site of the wastewater treatment plant, preapproved by the department and constructed specifically for the storage of biosolids to be applied at any permitted site. Routine storage facilities ..."	Revised language to clarify that this applies to storage facilities located off WWTP sites.
9VAC25-32-550 E 1 c	"c. All storage facilities located offsite of property owned by the generator shall be provided with a minimum 750-foot buffer zone. The length of the buffer zone considered will be the distance measured from the perimeter of the storage facility. Residential uses, high-density human activities and activities involving food preparation are prohibited within the buffer zone. The board may consider a reduction of up to half of the above buffer requirements based on such facts as lagoon area, topography, prevailing wind direction, and the inclusion of an effective windbreak in the overall design."	Replaced "buffer zones" with "setback areas". Revised to include reference to the "reduction of the setback requirements based on site-specific factors". Revised to read: "c. All storage facilities located offsite of property owned by the generator shall be provided with a minimum 750-foot setback area. The length of the setback area considered will be the distance measured from the perimeter of the storage facility. Residential uses, high-density human activities and activities involving food preparation are prohibited within the setback area. The board may reduce the setback requirements based on site-specific factors such as facility size, topography, prevailing wind direction, and the inclusion of an effective windbreak in the overall design."	Revised to clarify requirements and to avoid confusion with "vegetated buffers". Revised to clarify requirements.
9VAC25-32-550 E 2 b	"b. If alternative methods of management cannot be adequately verified, contractors should provide for a minimum of 30 days of in-state routine storage capacity for the average quantity of	Changed "should" to "shall" and changed "Class II level treated biosolids" to "Class B biosolids". Revised to read: "b. If alternative methods of management cannot be adequately verified, contractors shall provide for a minimum of 30 days of in-state	Changed terms to be consistent throughout the regulations. Changes made based on comments received.

	biosolids transported into Virginia from out-of-state treatment works generating at least a Class II level treated biosolids."	routine storage capacity for the average quantity of biosolids transported into Virginia from out-of-state treatment works generating at least a Class B biosolids."	
9VAC25-32-550 E 3	Construction.	Revised title of subdivision to "Facility design".	Renamed section to clarify requirements. Revised based on TAC discussions.
9VAC25-32-550 E 3 a		Added new language: "a. All drawings and specifications shall be submitted in accordance with 9VAC25-790-160."	Added reference to the SCAT regulations to clarify requirements. Changes made based on discussions with permittees.
9VAC25-32-550 E 3 b	9VAC25-32-550 E 3 a	Renumbered subdivision to 9VAC25-32-550 E 3 b.	Renumbered to account for the addition of new subdivision language.
9VAC25-32-550 E 3 c	9VAC25-32-550 E 3 b	Renumbered subdivision to 9VAC25-32-550 E 3 c.	Renumbered to account for the addition of new subdivision language.
9VAC25-32-550 E 3 d		Added new language: "d. Existing facilities permitted as routine storage facilities and designed to contain liquid biosolids may be used to store dewatered biosolids. The supernatant shall be managed as liquid biosolids in accordance with 9VAC25-32-550 D 5 d. Freeboard shall be maintained in accordance with 9VAC25-32-550 D 5 c. The department may require additional monitoring prior to land application."	This condition was added based on discussions of the TAC that is it not practical to cover existing lagoons where dewatered biosolids are stored.
9VAC25-32-550 E 3 e	9VAC25-32-550 E 3 c	Renumbered subdivision to 9VAC25-32-550 E 3 e.	Renumbered to account for the addition of new subdivision language.
9VAC25-32-550 E 3 f	9VAC25-32-550 E 3 d	Renumbered subdivision to 9VAC25-32-550 E 3 f.	Renumbered to account for the addition of new subdivision language.
9VAC25-32-550 E 3 g	9VAC25-32-550 E 3 e	Renumbered subdivision to 9VAC25-32-550 E 3 g.	Renumbered to account for the addition of new subdivision language.
9VAC25-32-550 E 4	"4. Monitoring. All biosolids storage facilities in excess of 100 wet ton capacity shall be monitored in accordance with the requirements of this regulation..."	Deleted phrase "in excess of 100 wet ton capacity". Revised to read: "4. Monitoring. All biosolids storage facilities shall be monitored in accordance with the requirements of this regulation..."	Technical correction.
9VAC25-32-550 E 5 f	"f. If malodors related to the stored biosolids are verified by DEQ at any	Revised to change "DEQ" to "the department". Revised to read: "f. If malodors related to the stored	Revised to use consistent terminology. Based on discussions

	occupied dwelling on surrounding property, the malodor must be corrected within 48 hours."	biosolids are verified by the department at any occupied dwelling on surrounding property, the malodor must be corrected within 48 hours."	with the AG's Office.
9VAC25-32-560 A 1	"1. All biosolids application rates, application times and other site management operations shall be restricted as specified in the approved operations management plan. The operations management plan shall include a nutrient management plan..."	Delete term "approved". Replace the term "operations management plan" with "biosolids management plan" 2 times in subdivision. Revised to read: "1. All biosolids application rates, application times and other site management operations shall be restricted as specified in the biosolids management plan. The biosolids management plan shall include a nutrient management plan..."	All components of the biosolids management plan are not required to be approved, particularly the NMP. Revised to be consistent with terminology used throughout the regulations.
9VAC25-32-560 A 1 a-e and Table 1	Biosolids Utilization Methods; Requirements applicable to land application of biosolids management plan shall include NMP; NMP requirements.	Deleted subdivisions and Table 1; Moved all to 9VAC25-32-410.	To consolidate information and requirements of the biosolids management plan in one place. To clarify requirements.
9VAC25-32-560 B 2 d	"d. Soil test pH must be greater than or equal to 5.5 at the time of each biosolids application if the biosolids to be land applied have not been alkaline stabilized."	Revised to read: "d. When soil test pH is less than 5.5 S.U. the land shall be supplemented with lime at the recommended agronomic rate prior to or during biosolids application if the biosolids to be land applied have not been alkaline stabilized."	Revised based on comments received.
9VAC25-32-560 B 2 e	"e. Soil test potassium levels must be greater than or equal to 38 part per million (Mehlich I analytical procedure or equivalent) at the time of each biosolids application."	Revised to read: "e. When soil test potassium levels are less than 38 part per million (Mehlich I analytical procedure or equivalent), the land shall be supplemented with potash at the recommended agronomic rate prior to or during biosolids application."	Revised based on comments received.
9VAC25-32-560 B 3 a	"a. Site specific application rates shall not exceed the rates established in the nutrient management plan not result in exceedance of the cumulative trace element loading rates specified in 9VAC25-32-356 Table 2."	Revised to replace "Table 2" with "Table 3" reference. Revised to read: "a. Site specific application rates shall not exceed the rates established in the nutrient management plan not result in exceedance of the cumulative trace element loading rates specified in 9VAC25-32-356 Table 3."	Revised to correct table reference due to renumbering of tables.
9VAC25-32-560 B 3 c (1)	Biosolids Utilization Methods; Agricultural	Deleted subdivisions.	Deleted based on comments received.

– (3)	use; Management Practices; PAN rates for crops.		Due to redundancy with DCR Regulation and statute. All PAN rates are established in DCR regulations in accordance with § 10.1-104.2
9VAC25-32-560 B 3 c	9VAC25-32-560 B 3 d "Application frequency."	Changed to 9VAC25-32-560 B 3 c.	Renumbered subdivision due to deletion of subdivision.
9VAC25-32-560 B 3 c	"(1) Infrequent. If biosolids are applied...The infrequent application rate may be restricted (i) down to 10% of the maximum cumulative loading rate (9VAC25-32-356 Table 2) for cadmium and lead..."	Deleted subdivision reference. Revised to correct table reference. Revised to read: "Infrequent. If biosolids are applied...The infrequent application rate may be restricted (i) down to 10% of the maximum cumulative loading rate (9VAC25-32-356 Table 3) for cadmium and lead..."	Revised subdivision reference due to deletion of subdivision (2). Revised to correct table reference due to renumbering of tables.
9VAC25-32-560 B 3 c	"9VAC25-32-560 B 3 (2) Frequent. Frequent below agronomic application rate involves..."	Deleted subdivision.	Deleted description of frequent application because allowable frequency and rates will be dictated by NMP.
9VAC25-32-560 B 3 d	9VAC25-32-560 B 3 e.	Renumbered to 9VAC25-32-560 B 3 d.	Renumbered to account for deletion of subdivisions.
9VAC25-32-560 B 3 d (1)	"(1) Field management. The application rate of all application equipment shall be routinely measured as described in an approved operations management plan..."	Delete "an approved" and insert "a". Replaced "operations" with "biosolids". Revised to read: "(1) Field management. The application rate of all application equipment shall be routinely measured as described in an approved biosolids management plan..."	All components of the biosolids management plan are not required to be approved, particularly the NMP. Revised to be consistent with terminology used throughout the regulations.
9VAC25-32-560 B 3 d (2)	"(2) Surface incorporation may be required on cropland by the department, or the local monitor with the approval of the department, to mitigate excessive odors when incorporation is practicable and compatible with a soil conservation plan meeting the standards and specifications of the U.S. Department of Agriculture Natural Resources Conservation Service."	Revised to replace "excessive odors" with "malodors" and to include the option for the use of a "soil conservation contract". Revised to read: "(2) Surface incorporation may be required on cropland by the department, or the local monitor with the approval of the department, to mitigate malodors when incorporation is practicable and compatible with a soil conservation plan or contract meeting the standards and specifications of the U.S. Department of Agriculture	Revisions made to correct terminology to common usage.

		Natural Resources Conservation Service."	
9VAC25-32-560 B 3 d (3)	"(3) Slopes above 15%. Biosolids shall not be applied to site slopes exceeding 15%."	Revised to add waiver provision. Revised to read: "(3) Slopes above 15%. Biosolids shall not be applied to site slopes exceeding 15%. This restriction may be waived by the department for the establishment and maintenance of perennial vegetation or based on site specific criteria and BMPs in place in the field."	Based on comments received. The organic matter in the biosolids helps to stabilize the soil allowing the growth of stabilizing vegetation and reducing erosion and soil loss.
9VAC25-32-560 B 3 e	9VAC25-32-560 B 3 f. "Buffer zones."	Renumbered from "B3 f" to B 3 e". Revised title of subdivision to read: "Setback distances."	Renumbered to account for deletion of previous subdivision. Revised to clarify requirements and to avoid confusion with "vegetated buffers". Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 B 3 e (1)	"(1) Setback distances. The location of land application of biosolids shall not occur within the following buffer zone requirements (Table 2 of this section):	Revised to read: "(1) Setback distances. The land application of biosolids shall not occur within the following setback distance requirements (Table 1 of this section):	Revised to clarify requirements and to correct table reference.
9VAC25-32-560 B 3 e (1) – Table 1	9VAC25-32-560 B 3 e (1) – Table 2	Deleted Table 2 – Minimum Buffer Zone Requirements and Replaced it with Table 1 – Minimum Setback Distance Requirements – Removed "incorporation" and "Winter" columns from original Table 2; revised "adjacent features" and "setback" distances and associated footnotes to include: "Occupied dwelling" (200 ^{1,2,3}); "Odor sensitive receptors (without injection or same day incorporation)" (400 ³); "Odor sensitive receptors (with injection or same day incorporation): (200); "Property lines" (100 ^{2,4}); "Property lines of publicly accessible sites ⁵ " (200); "Water supply wells or springs" (100); "Public water supply reservoirs" (400); "All segments of streams and tributaries designated as a Public Water Supply under the Water Quality	Revisions based on TAC discussions; discussions with VDH; and discussions with VA Tech Soil Scientists. Revisions made to be consistent with existing regulations.

		<p>Standards" (100); "Surface waters without a vegetated buffer" (100); "Surface waters with a 35-foot vegetated buffer" (35); "Agricultural drainage ditches" (10); "All improved roadways" (10); "Rock outcrops" (25); "Open sinkholes" (100); "Limestone rock outcrops and closed sinkholes" (50).</p> <p>Associated footnotes include:</p> <p>¹The setback distance to occupied dwellings may be reduced or waived upon written consent of the occupant and landowner of the dwelling. ² The department shall grant to any landowner or resident in the vicinity of a biosolids land application site an extended setback of up to 200 feet from their property line and up to 400 feet from their occupied dwelling upon their request. In order for an extended setback request to be granted, the request must be received by the department no later than 48 hours before land application commences on the field affected by the extended setback, and communicated to the permittee no later than 24 hours before land application commences on the field affected by the extended setback. The department may extend a setback distance within 48 hours of land application if requested by the Virginia Department of Health. If the request is made to the permittee no later than 24 hours before land application commences on the field affected by the extended setback, the permittee shall implement the extended setback and notify the department. ³Setback distances may be extended beyond 400 feet where an evaluation by the Virginia Department of Health determines that a setback in excess of 400 feet is necessary to prevent specific and immediate injury to the health of an individual. ⁴The setback distance to property lines may</p>	
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		<p>be reduced or waived upon written consent of the landowner. ⁵Publicly accessible sites are open to the general public and routinely accommodate pedestrians and include, but are not limited to, schools, churches, hospitals, parks, nature trails, businesses open to the public and sidewalks. Temporary structures, public roads or similar thoroughfares are not considered publicly accessible. ⁶A closed sinkhole does not have an open conduit to groundwater. The setback from a closed sinkhole may be reduced or waived by the department upon evaluation by a professional soil scientist."</p>	
9VAC25-32-560 B 3 e (2)	<p>"(2) Reduced buffer setback distances. The stated buffer zones to adjacent property boundaries and drainage ditches constructed for agricultural operations may be reduced by 50% for subsurface application (includes same day incorporation) unless state or federal regulations provide more stringent requirements. Written consent of affected landowners is required to reduce buffer distances from property lines and dwellings. In cases where more than one buffer distances is involved, the most restrictive distance governs."</p>	<p>Revised to read: "(2) In cases where more than one setback distance is involved, the most restrictive distance governs."</p>	<p>Revised to clarify requirements.</p>
9VAC25-32-560 B 3 e (3)	<p>"(3) Waivers. Waivers from adjacent property residents and landowners may only be used to reduce buffer setback distances from occupied dwellings and property lines."</p>	<p>Replaced "buffer" with "setback".</p>	<p>Revised to use consistent terminology throughout the regulations.</p>
9VAC25-32-560 B 3 e (4)	<p>"(4) Extended buffer setback distances. The department may increase</p>	<p>Revised to read: "(4) Extended setback distances. The department may increase</p>	

	buffer requirements based on site specific features, such as agricultural drainage features and site slopes. For applications where surface applied biosolids are not incorporated, the department (or the local monitor with approval of the department) may require as a site-specific permit condition, extended buffer zone setback distances when necessary to protect odor sensitive receptors."	setback requirements based on site specific features, such as agricultural drainage features and site slopes."	
9VAC25-32-560 B 3 f	9VAC25-32-560 B 3 h: "Voluntary extensions of buffer distances. If a permit holder negotiates a voluntary agreement with a landowner or resident to extend buffer distances or add other more restrictive criteria than required by this regulation, the permit holder shall document the agreement in writing and provide the agreement to the department. Voluntary buffer increases or other management criteria will not become an enforceable part of the land application permit unless the permit holder modifies the operations management plan to include the additional restriction."	Renumber from 9VAC25-32-560 B 3 h to B 3 f. Revise to replace "buffer" with "setback" 3 times in the subdivisions. Revise to replace "operations management plan" with "biosolids management plan". Revised to read: "Voluntary extensions of setback distances. If a permit holder negotiates a voluntary agreement with a landowner or resident to extend setback distances or add other more restrictive criteria than required by this regulation, the permit holder shall document the agreement in writing and provide the agreement to the department. Voluntary setback increases or other management criteria will not become an enforceable part of the land application permit unless the permit holder modifies the biosolids management plan to include the additional restriction."	Renumbered to account for deletion of previous subdivision. Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 B 3 g	9VAC25-32-560 B 3 i: "Extension of buffer distances with phosphorus index..."	Renumber from 9VAC25-32-560 B 3 1 to B 3 g. Revise to replace "buffer" with "setback". Revised to read: "Extension of setback distances with phosphorus index..."	Renumbered to account for deletion of previous subdivision. Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 C	C. Forestland (Silviculture). Silvicultural use includes application of biosolids to commercial timber and fiber	Strike word "commercial".	To clarify that the regulations apply to all timber and fiber production land.

	production land..."		
9VAC25-32-560 C 1	"1. Biosolids standards. Refer to 9VAC25-32-590 and 9VAC25-32-660 of this article."	Revise to read: "1. Biosolids standards. Refer to the standards of this Article."	Revised to correct reference to the standards; Section 590 was repealed.
9VAC25-32-560 C 3 a	"a. Application rates. Biosolids application rates shall be in accordance with the operations management practices plan. The operations management plan shall include..."	Replaced "operations management practices plan" and "operations management plan" with "biosolids management plan". Revised to read: "a. Application rates. Biosolids application rates shall be in accordance with the biosolids management plan. The biosolids management plan shall include..."	Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 C 3 b (1) (c)	"(c) Application scheduling included in the operations management practices plan shall ..."	Replaced "operations management practices plan" with "biosolids management plan".	Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 C 3 b (2)	"(2) Buffer zones. Buffer zones should conform to those for agricultural utilization. Refer to Table 2 of this section."	Revised to replace "buffer zones" with "setbacks" twice in the subdivision. Replaced "should" with "shall". Corrected reference to Table. Revised to read: "(2) Setbacks: Setbacks shall conform to those for agricultural utilization. Refer to Table 2 of this section."	Revised to use consistent terminology throughout the regulations. Revised to correct table reference.
9VAC25-32-560 D 3 a	"a. Application rates. The biosolids application rates shall be established in the nutrient management practices plan in consultation with the Virginia Department of Mines, Minerals and Energy and the Virginia Department of Conservation and Recreation. The nutrient management plan shall be approved by the Department of Conservation and Recreation prior to permit issuance."	Revised to replace "nutrient management practices plan" with biosolids management plan". Revised to include reference to consultation with Virginia Polytechnic Institute and State University. Revised to include condition under which approval of a nutrient management plan by the Department of Conservation and Recreation is required. Revised to read: "a. Application rates. The biosolids application rates shall be established in the biosolids management plan in consultation with the Virginia Department of Mines, Minerals and Energy, the Virginia Department of Conservation and Recreation and the Department of Crop and Soil Environmental Sciences of the Virginia Polytechnic Institute and State University. The nutrient management plan shall be approved by the Department of	Revised to use consistent terminology throughout the regulations. Revised to correct references. Revised to clarify when approval of a nutrient management plan by the Department of Conservation and Recreation is required. Based on comments received.

		Conservation and Recreation prior to permit issuance where land application is proposed at greater than agronomic rates."	
9VAC25-32-560 D 3 b	"b. Vegetation selection. The land shall be seeded with grass and legumes even when reforested. The management practices plan shall include information on the seeding mixture and a detailed seeding schedule."	Replaced "management practices plan" with "biosolids management plan". Revised to read: "b. Vegetation selection. The land shall be seeded with grass and legumes even when reforested. The biosolids management plan shall include information on the seeding mixture and a detailed seeding schedule."	Revised to use consistent terminology throughout the regulations.
9VAC25-32-560 D 3 c (1)	"(1) The soil pH shall...The application rate shall be limited by the most restrictive cumulative trace element loading (Table 2 of this section)."	Revised table reference: Revised to read: "(1) The soil pH shall...The application rate shall be limited by the most restrictive cumulative trace element loading (9VAC25-32-356 Table 3)."	Revised to correct table reference.
9VAC25-32-570 A 1	"1. The biosolids product must be registered with the Virginia Department of Agriculture and Consumer Services in accordance with regulations promulgated under § 3.2-3601 of the Code of Virginia. The permit applicant shall obtain such registration prior to issuance of a permit by the board."	Revised to read: "1. The biosolids product must be registered with the Virginia Department of Agriculture and Consumer Services in accordance the provisions of § 3.2-3607 of the Code of Virginia."	Revised as requested by VDACS in comments received. Deleted requirement to be registered as requested by VDACS in comments received.
9VAC25-32-570 A 4	"4. The biosolids product must meet the ceiling concentrations specified in 9VAC25-32-356 – Table 1)."	Changed reference from "Table 1" to "Table 2".	Corrected table reference to account for renumbering of tables.
9VAC25-32-570 A 5	"5. The biosolids product must meet the pollutant concentrations specified in 9VAC25-32-356 – Table 3."	Changed reference from "Table 3" to "Table 4".	Corrected table reference to account for renumbering of tables.
9VAC25-32-570 A 6	"6. Additional parameters such as the organic chemicals listed in Table 1 of this section may be required for screening as well as: aluminum (mg/kg), water soluble boron (mg/kg, calcium (mg/kg), chlorides (mg/l, manganese (mg/kg),	Revised and replaced "sulfates" with "sulfur" and to delete reference to Table 1. Revised to read: "6. Additional parameters may be required for screening purposes such as organic chemicals, aluminum (mg/kg), water soluble boron (mg/kg, calcium (mg/kg), chlorides (mg/l, manganese (mg/kg), sulfur	Revised to clarify the requirements based on comments received and on TAC discussions.

	sulfates (mg/kg), and those pollutants for which removal credits are granted."	(mg/kg), and those pollutants for which removal credits are granted."	
9VAC25-32-570 A 6 – Table 1	Table 1 – Organic Chemical Testing May be Required to Identify an Exceptional Quality Biosolids.	Deleted Table 1 and its contents.	Revised to clarify the requirements based on comments received and on TAC discussions.
9VAC25-32-570 B 1	"1. Any permit holder who distributes or markets exceptional quality biosolids shall maintain records as required by regulations promulgated under § 3.2-3601 of the Code of Virginia and make the records available to the department upon request."	Revised to read: "1. Any permit holder who distributes or markets exceptional quality biosolids shall comply with the reporting requirements of § 3.2-3609 and § 3.2-3610. The records shall be maintained for five years and made available to the department upon request."	Revised to comply with the reporting requirements of § 3.2-3609 and § 3.2-3610 as requested by VDACS through comments received.
9VAC25-32-570 B 2 b	"b. The percent solids of a blended product derived from biosolids is equal to or greater than 40% based on moisture content and total solids and achieves a carbon to nitrogen ratio of at least 25:1."	Deleted statement and replaced with: "b. A blended product derived from biosolids is utilized for a purpose other than land application at agricultural operations."	Change made based on TAC discussions.
9VAC25-32-570 B 3	"3. Within 30 days after land application at the site has commenced, the permit holder shall provide a copy of the plan to the department, the farm operator of the site, and the Department of Conservation and Recreation regional office."	Revised to delete requirement for submittal of a copy of the plan to the "department", replaced "farmer" and "farm" and deleted reference to regional offices. Revised to read: "3. Within 30 days after land application at the site has commenced, the permit holder shall provide a copy of the plan to the farm operator of the site and the Department of Conservation and Recreation."	Removed requirement to submit to department, because DCR gets it and their role is to review. It must be on site for review by the inspector. Removed reference to DCR regional office. DCR and DEQ will determine who at DCR receives the NMP and will establish the procedure in guidance. Grammatical correction.
9VAC25-32-570 D	"D. Information furnished to all users. Labeling requirements shall be addressed in an operations management plan..."	Replaced "an operations management plan" with "a biosolids management plan". Revised to read: "D. Information furnished to all users. Labeling requirements shall be addressed in a biosolids management plan..."	Revised to use consistent terminology throughout the regulations.
9VAC25-32-570 D 3	"3. The annual whole sludge application rate for	Revised table reference from "Table 4" to "Table 5".	Corrected table reference to account for

	the biosolids that does not cause any of the annual pollutant loading rates in Table 4 of 9VAC25-32-356 to be exceeded; and"		renumbering of tables.
9VAC25-32-570 D 4	"4. Information required in accordance with regulations promulgated under § 3.2-3601 of the Code of Virginia."	Revised to include "labeling provisions reference". Revised to read: "4. Information required in accordance with regulations promulgated under § 3.2-3601 of the Code of Virginia and with the labeling provisions of § 3.2-3611 of the Code of Virginia.."	Revision requested by VDACS through comments received.
9VAC25-32-570 E 1 a	"a. The concentration of each pollutant listed in Table 3 of 9VAC25-32-356 in the biosolids;"	Replaced "Table 3" with "Table 4" reference.	Revised to account for renumbering of tables in section.
9VAC25-32-570 E 2 a	"a. The concentration of each pollutant listed in Table 3 of 9VAC25-32-356 in the material;"	Replaced "Table 3" with "Table 4" reference.	Revised to account for renumbering of tables in section.
9VAC25-32-570 E 3	"3. If the requirements in 9VAC25-32-356 A 4 b are met when biosolids is sold or given away in a bag..."	Revised subdivision reference from 9VAC25-32-356 A 4 b to B 4 b.	Corrected subdivision reference.
9VAC25-32-570 E 3 a	"a. The annual whole sludge application rate for the biosolids that does not cause the annual pollutant loading rates in Table 4 of 9VAC25-32-356 6 o be exceeded;"	Replaced "Table 4" with "Table 5" reference.	Revised to account for renumbering of tables in section.
9VAC25-32-570 E 3 b	"b. The concentration of each pollutant listed in Table 4 of 9VAC25-32-356 in the biosolids;"	Replaced "Table 4" with "Table 5" reference.	Revised to account for renumbering of tables in section.
9VAC25-32-580 1	"1. Incineration. Emission quality control requirements...Buffer separation requirements will be established on a site specific basis in accordance with the applicable regulations."	Replaced "buffer separation" with "setback distance" requirements.	Revised to use consistent terminology throughout the regulations.
9VAC25-32-675 A 1	"1. The requirement in subdivision 2 of this subsection and the requirements in either subdivisions 3, 4, 5, 6, 7, or 8 of this subsection shall be met for a sewage sludge to be classified as Class A biosolids with respect to pathogens."	Replace "a sewage sludge" with "biosolids". Revised to read: "1. The requirement in subdivision 2 of this subsection and the requirements in either subdivisions 3, 4, 5, 6, 7, or 8 of this subsection shall be met for biosolids to be classified as Class A biosolids with respect to pathogens."	Revised to use consistent terminology throughout the regulations.
9VAC25-32-	"a. Either the density...is	Replaced reference to "Table 1"	Revised to account for

675 A 3 a	prepared to meet the ceiling concentrations in 9VAC25-32-356 Table 1, the pollutant concentrations in 9VAC25-32-356 Table 3..."	with "Table 2" and "Table 3" with Table 4".	renumbering of tables in the section.
9VAC25-32-675 A 4 a	"a. Either the density of fecal coliform in the biosolids shall be less than 1,000 Most Probable Number per gram of total solids (dry weight basis) at the time the biosolids is used or disposed, or the density of Salmonella sp. bacteria in the biosolids shall be less than three Most Probable Number per four grams of total solids (dry weight basis); at the time the biosolids is prepared..."	Moved the phrase "at the time the biosolids is used or disposed". Revised to read: "a. Either the density of fecal coliform in the biosolids shall be less than 1,000 Most Probable Number per gram of total solids (dry weight basis) or the density of Salmonella sp. bacteria in the biosolids shall be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the biosolids is used or disposed; at the time the biosolids is prepared..."	Revised to use consistent terminology throughout the regulations and to clarify and better organize the requirements.
9VAC25-32-675 A 4 a	"a. Either the density... is prepared to meet the ceiling concentrations in 9VAC25-32-356 Table 1, the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 A 5 a	"a. Either the density of fecal coliform in the biosolids...the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 A 5 b (1)	"(1) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is less than one plaque-forming unit per four grams..."	Replaced "plaque-forming unit" with "Plaque-forming Unit".	Terminology correction.
9VAC25-32-675 A 5 b (2)	"(2) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is equal to or greater than one plaque-forming unit per four grams of total solids (dry weight basis), the sewage sludge is	Replaced "plaque-forming unit" with "Plaque-forming Unit" twice in the subdivision. Replace the term "sewage sludge" with "biosolids" once in the subdivision. Revised to read: "(2) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is	Terminology correction. Revised to use consistent terminology throughout the regulations.

	Class A with respect to enteric viruses when the density of enteric viruses in the sewage sludge after pathogen treatment is less than one plaque-forming unit per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the enteric virus density requirement are documented; and"	equal to or greater than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses when the density of enteric viruses in the sewage sludge after pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the biosolids that meets the enteric virus density requirement are documented; and"	
9VAC25-32-675 A 5 b (3)	"(3) After the enteric virus reduction in subdivision 5 b (2) of this subsection is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A..."	Replaced the term "sewage sludge" with "biosolids".	To use consistent terminology throughout the regulations.
9VAC25-32-675 A 6 a	"a. Either the density of fecal coliform in the biosolids...the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 A 6 b	"b. The density of enteric viruses in the biosolids shall be less than one plaque-forming unit per four grams of total solids..."	Replaced "plaque-forming unit" with "Plaque-forming Unit".	Terminology correction.
9VAC25-32-675 A 6 b	"b. The density of enteric viruses...to meet the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 A 6 c	"c. The density of viable helminth ova... to meet the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.

	3..."		
9VAC25-32-675 A 7 a	"a. Either the density of fecal coliform in the biosolids...the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 A 8 a	"a. Either the density of fecal coliform in the biosolids...the ceiling concentrations in 9VAC25-32-356 Table 1; the pollutant concentrations in 9VAC25-32-356 Table 3..."	Replaced reference to "Table 1" with "Table 2" and "Table 3" with Table 4".	Revised to account for renumbering of tables in the section.
9VAC25-32-675 B 2 b	"b. The geometric mean of the density of fecal coliform in the samples collected in subdivision 2 a of this subsection shall be less than either 2,000 most probable number per gram of total solids (dry weight basis) or 2,000,000 colony forming units per gram of total solids (dry weight basis)."	Replaced "most probable number" with "Most Probable Number" and "colony forming units" with "Colony Forming Units".	Terminology correction.
9VAC25-32-675 B 4	"4. Class B – Alternative 3. Sewage sludge that is used or disposed shall be treated in a process that is equivalent to a process to significantly reduce pathogens, as determined by the board."	Replaced "Sewage sludge" with "Biosolids" in the subdivision.	To use consistent terminology throughout the regulations.
9VAC25-32-675 B 5 f	"f. Feeding of harvested crops to animals shall not take place for 30 days following surface application (two months for lactating dairy livestock)."	Deleted requirement.	Based on discussions with the AG's Office. Requirement addressed in footnote to Table 1.
9VAC25-32-675 B 5 f	9VAC25-32-675 B 5 g	Renumbered subdivision B 5 g to B 5 f.	Renumbered to account for deletion of previous subdivision.
9VAC25-32-675 B 5 g	9VAC25-32-675 B 5 h	Renumbered subdivision B 5 h to B 5 g.	Renumbered to account for deletion of previous subdivision.
9VAC25-32-675 B 5 h	9VAC25-32-675 B 5 i	Renumbered subdivision B 5 I to B 5 h.	Renumbered to account for deletion of previous subdivision.

9VAC25-32-675 B 5 – Table 1 – Footnote (4)	" ⁽⁴⁾ The restriction for lactating cows is two months."	Revised to read: " ⁽⁴⁾ The restriction for lactating cows is 60 days."	Revised based on discussions with the AG's Office and to use consistent terminology throughout the regulations.
9VAC25-32-675 – Table 1 – Footnote (5)	" ⁽⁵⁾ This time restriction must be met unless otherwise specified by the permitting authority."	Revised to read: " ⁽⁵⁾ This time restriction must be met unless otherwise specified by the department."	To clarify requirement and to use consistent terminology throughout the regulations.
9VAC25-32-675 C	9VAC25-32-675 C 1: "C. Domestic septage. 1. The site restrictions in subdivision B 5 of this section shall be met when domestic septage is applied to agricultural land, forest, or a reclamation site; or..."	Delete subdivision number. Revised to read: "C. Domestic septage. The site restrictions in subdivision B 5 of this section shall be met when domestic septage is applied to agricultural land, forest, or a reclamation site."	Revised to clarify requirements.
9VAC25-32-675 C	9VAC25-32-675 C 2	Delete subdivision and subdivision text.	Deleted requirement to be consistent with changes made in the regulations.
9VAC25-32-685 B	"B. Vector attraction reduction requirements.	Revised title to read: "B. Vector attraction reduction options."	To clarify that these are available options to meet required vector attraction reductions.
9VAC25-32-685 B 9	"9. Sewage sludge shall be injected below the surface of the land."	Moved language to new 9VAC25-32-685 B 9 a and replace with: "9. Sewage sludge injection requirements:"	Revised to clarify requirements.
9VAC25-32-685 B 9 a	9VAC25-32-685 B 9.	Renumbered subdivision B 9 to B 9 a.	Renumbered to account for the addition of a new subdivision title.
9VAC25-32-685 B 9 b	9VAC25-32-685 B 9 a	Renumbered B 9 a to B 9 b.	Renumbered to account for reorganization of subdivision.
9VAC25-32-685 B 9 c	9VAC25-32-685 B 9 b	Renumbered B 9 b to B 9 c.	Renumbered to account for reorganization of subdivision.
9VAC25-32-685 B 10	"10. Sewage sludge applied to the land surface or placed on an active sewage sludge unit:"	Moved language to new 9VAC25-32-685 B 10 a and replaced with new subdivision header: "10. Sewage sludge incorporation requirements:"	Revised and reorganized to clarify requirements.
9VAC25-32-685 B 10 a.	9VAC25-32-685 B 10: "Sewage sludge applied to the land surface ort placed on an active sewage unit:"	Renumbered and incorporated with original 9VAC25-32-685 B 10 a to read:"a. Sewage sludge applied to the land surface ort placed on an active sewage unit shall be incorporated into the soil within six hours after application to or placement on the land unless otherwise specified by the board."	Revised and reorganized to clarify requirements.

9VAC25-32-690 A	"A. No person shall land apply biosolids pursuant to a permit issued in accordance with this regulation unless...Certified land applicators shall possess...including their certificate number issued by the department. Monthly reports submitted in accordance with the requirements..."	Insert language requiring the maintenance of an operator log. Revise to read: "A. No person shall land apply biosolids pursuant to a permit issued in accordance with this regulation unless...Certified land applicators shall possess...including their certificate number issued by the department. The Certified land applicator shall maintain an operator field log to document at minimum, site location, arrival and departure times, inspectors or any visitors to the site, complaints received and any unusual condition or event. The field log shall be available for inspection by the department. Monthly reports submitted in accordance with the requirements..."	This revision is based on comments received regarding certified land applier accountability, difficulties in getting proper documentation with monthly reports and lack of permittee cooperation in regard to a certified land applier being on site at all times.
9VAC25-32-780 A	"A. A permit holder or applicant must demonstrate financial responsibility for clean-up costs, personal injury, bodily injury, and property damage resulting from the transport, storage, and land application of biosolids in Virginia. The permit holder or applicant must maintain liability coverage in the amount of \$2 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs."	Revise to include reference to "pollution liability" and "general liability". Revised to read: "A. A permit holder or applicant must demonstrate financial responsibility for clean-up costs, personal injury, bodily injury, and property damage resulting from the transport, storage, and land application of biosolids in Virginia. The permit holder or applicant must maintain pollution liability and general liability coverage in the amount of \$2 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs."	Revised language in order to clarify requirements. Based on comments received.
9VAC25-32-780 B 1	"1. Having liability insurance as specified in 9VAC25-32-790;"	Revised to read: "A Pollution Liability policy as well as a General Liability policy that covers all activities associated with the "Transport, Storage and Land Application" of biosolids as specified in 9VAC25-32-790;"	Revised in order to clarify requirements. Based on comments received.
9VAC25-32-790 A	"A. Each insurance policy must be amended by attachment of a biosolids liability endorsement or evidenced by a certificate of liability insurance..."	Revise to include reference to "pollution and general liability". Revised to read: "A. Each pollution and general liability insurance policy must be amended by attachment of an endorsement or evidenced by a certificate of liability insurance..."	Revised in order to clarify requirements. Based on comments received.

9VAC25-32 Documents Incorporated by Reference	Documents Incorporated by Reference: "Method 1668B"	Deleted document: "Method 1668B"	Method 1668B is not an approved method.